



of the Comprehensive Plan

Prepared By:

THE CORRADINO GROUP



VILLAGE COUNCIL

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Background

The Evaluation and Appraisal Report (EAR) is a periodic analysis of the goals, objectives, and policies set forth in the Village's Master Plan (comprehensive plan) required by State law. The State of Florida requires each city to produce an EAR every seven years. The Village's EAR is due to the State on July 1, 2018. The EAR evaluates each Element of the plan and suggest amendments to the plan. Once the EAR is submitted to the State and they accept, the Village has one year to complete the amendments.

Task 1. Issue Scoping

This task consisted of three levels of outreach efforts to ensure multiple opportunities were sought to gain the most up-to-date and relevant information from which to analyze the plan and make recommendations for updates. The outreach meetings involved Village staff interviews, an open meeting where State, Regional and local planners were invited and to ensure all stakeholders had an opportunity to participate, a public workshop was held.

In order to fully understand the changes in local conditions, updated documents, reports and infrastructure improvements since the last time the comprehensive plan was updated, The Corradino Team met with Village staff to gather input on major issues including: transportation and traffic, resiliency planning, utilities, and many other topics. Meetings were held on April 11, 12 and 19th with the Directors of Parks & Recreation, Finance, Building, Zoning, Planning, Stormwater Utility and Sewer Departments. These meetings provided valuable input to ascertain how the Village has grown, how it has embraced new technologies, and what new issues are on the horizon that need to be faced in the near future.

In addition, on April 11th the Corradino Team gained input through an interagency scoping meeting with adjacent local jurisdictions and State, regional and county agencies. Representatives attended from Miami-Dade County RER; the South Florida Regional Planning Council; the Florida Department of Economic Opportunity. Additional input was received by email correspondence from agencies that were not available to participate. The purpose of the scoping meeting was to receive local agency input on the key issues that have been identified, identify additional issues that should be addressed, and collect local agency data to assist in the EAR development process. During the scoping meeting the discussion of comprehensive plan to identify areas where it is not in compliance with current State Law. Of the topics discussed, planning for resiliency and defending against flood events was of the highest importance to the State and Regional agencies.

A locally advertised Public Workshop was held the evening of April 26th. The workshop provided the public with an overview of the EAR process and purpose. A background and history of the comprehensive plan since it was first prepared when the Village incorporated. Four main topics were introduced to guide the discussion, seek further input and to open the conversation to other issues of importance to the public. The Workshop was successful in regards to the level of participation and engagement of attendees.

Task 2. Preparation of the Evaluation and Appraisal Report

The issues identified in Task 1 were described, analyzed and utilized to inform the recommendations to the comprehensive plan. The report specifically addresses updated data and analysis for each of the elements. This includes updated population projections, land use data, transportation data, infrastructure and parks and recreation information. A comprehensive review of each element was completed in order to identify any successes, implemented and completed policies and achievements that have taken place since the previous EAR in 2008. Based on the review, each element contains specific recommendations for updates and amendments to address and comply with changes in state law, regional plans and programs, local conditions as well as the Village's vision for future achievements. The evaluation includes a matrix detailing the changes in Growth Management laws found in Florida Statutes, Chapter 163 since the plan was last reviewed in 2008. The matrix is organized by year, listing every change and how the change will or will not affect the Village comprehensive plan.

LETTER FROM THE PLANNING CONSULTANT TO THE STATE DEO



June 1, 2018

Mr. Ray Eubanks Florida Department of Economic Opportunity Division of Community Planning 107 East Madison Street Caldwell Building Tallahassee, Florida 32399-4120

RE: Letter of Determination regarding the 2018 Evaluation of the Village of Key Biscayne Comprehensive Plan

Dear Mr. Eubanks:

In accordance with the requirements of Chapter 163.3191, Florida Statutes (F.S.), as revised by the 2011 Growth Management Legislation (CS/HB7207ER), the Village of Key Biscayne hereby submits this letter of determination regarding potential amendments to comply with State requirements as of the date of this letter. The City has evaluated its Comprehensive Plan to determine if any amendments are required to address growth management legislation that has been adopted since 2008, the date of the last EAR (see enclosed Table "Statutory Changes to Comprehensive Plan Requirements from 2008-2016 and Related Impacts to the Key Biscayne Comprehensive Plan"). Based on this evaluation, the Village has determined that amendments to the Future Land Use, Transportation, Capital Improvements, Conservation and Coastal Management, Intergovernmental Coordination, Infrastructure, Housing, Recreation and Open Space, Public Schools and Facilities, and amendments to ensure coordination with the regional water supply plan are required to address State statutory requirements at this time.

Thank you for your assistance in this matter. Please contact Scarlet Hammons, AICP, CTP at (305) 594-0735 or at shammons@corradino.com if you have any questions or need additional information.

Sincerely,

Scarlet Hammons, AICP, CTP Planning Consultant to the Village

Enclosure



Population and Land Use Analysis

Projections for years 2000 to 2040 are shown in the following Table is based on applying past growth trends, average person per household and the projected number of units to the next twenty year planning period. While these numbers are useful in planning for future services and infrastructure, they are to be used as guidance and not as a true prediction. t is likely, based on recent redevelopment trends in the single family residential areas that the Village will continue to experience population growth in the under 20 age groups, while the age 70 and over groups will decline. Additionally, these numbers could be skewed by the recent completion of two Developments of Regional Impact (Ocean Club and Grand Bay Residence and Ritz-Carlton Hotel) that affected the population increase in the recent past, but will not be continued into the future. The Village is essentially built-out, with only a handful of vacant single family residential lots remaining. All future growth will be in the way of redevelopment on existing platted lots. The Village anticipates no changes to densities or to the Future Land Use that currently exists. Commercial development is not likely to change in any significant way, Crandon Boulevard is developed. The Future Land Use Map for this planning period is the same as from the previous period (see below Figure 1. Future Land Use Map excerpted from the July 2007 Evaluation and Appraisal Report prepared by WRT).

	Population Projection by Age for 2000-2040									
			Permanent Residents							
County	Place	Age	2000	2010	2016	2020	2025	2030	2035	2040
Miami-Dade	Key Biscayne	0-4	766	822	814	832	917	983	1,049	1,105
Miami-Dade	Key Biscayne	5-9	816	1,082	936	840	913	996	1,079	1,132
Miami-Dade	Key Biscayne	10-14	660	1,040	1,074	1,166	1,187	1,210	1,293	1,334
Miami-Dade	Key Biscayne	15-19	455	717	846	996	923	798	841	882
Miami-Dade	Key Biscayne	20-24	334	347	466	558	581	633	621	608
Miami-Dade	Key Biscayne	25-29	477	313	426	506	595	711	629	514
Miami-Dade	Key Biscayne	30-34	734	485	486	500	660	814	811	843
Miami-Dade	Key Biscayne	35-39	990	960	701	629	846	1,036	1,179	1,352
Miami-Dade	Key Biscayne	40-44	912	1,102	876	735	747	763	976	1,160
Miami-Dade	Key Biscayne	45-49	763	1,053	1,009	1,040	796	680	883	1,040
Miami-Dade	Key Biscayne	50-54	710	883	1,078	1,091	929	730	710	692
Miami-Dade	Key Biscayne	55-59	685	694	828	974	946	961	704	573
Miami-Dade	Key Biscayne	60-64	571	695	804	884	1,109	1,102	900	674
Miami-Dade	Key Biscayne	65-69	462	669	679	690	812	995	933	911
Miami-Dade	Key Biscayne	70-74	424	486	531	600	705	796	982	947
Miami-Dade	Key Biscayne	75+	748	996	1,229	1,419	1,588	1,775	1,999	2,248
Miami-Dade	Key Biscayne	Total	10,507	12,344	12,783	13,460	14,254	14,983	15,589	16,015

Key Biscayne Vacant Parcels





■Vacant Parcel

Key Biscayne Municipal Limits

0 0.13 0.25 0.5Miles

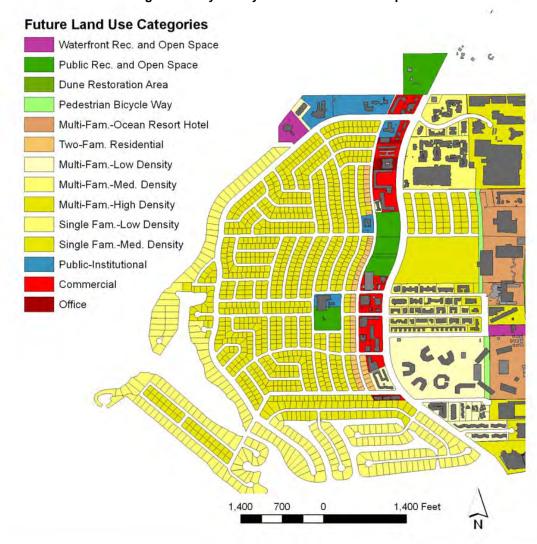




Section 30-80(f)(6)h.2 Site Plan Review Procedures: A map of the area showing where runoff presently goes and size, location, topography and land use of off-site areas which drain through, onto, and from the project.

Section 30-18(g): Drainage for all off-street parking facilities shall meet the requirements of the Metropolitan Miami-Dade County Planning, Development, and Regulation Landscape Manual.

Figure 1: Key Biscayne Future Land Use Map



Key Biscayne Master Plan Evaluation & Appraisal Report



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Transportation

The Village adopted Level of Service Standards in the original 1995 Master Plan for transportation and public facilities. Although concurrency management is no longer a requirement of the State Growth Management rules, the Village desires to continue upholding the LOS standards and monitoring concurrency regulations. Crandon Boulevard is a County-owned facilities and remains the only major arterial in the Village. All local roads belong to the Village. The Village has completed many roadway projects since incorporation to address transportation issues such as speeding, pedestrian safety, bicyclist safety, and golf-cart integration. Recently a number of transportation planning studies were prepared to analyze new approaches to getting around the island. Many of these include advancing more options for residents and visitors alike. One example is the highly utilized "Freebie" on-call public golf-cart program. This transportation option has been so successful, the largest complaint is that there are not enough available and delays in response times are now common. During this planning period it is recommended that the Village to continue to fund projects from the following recently completed transportation studies:

- Golf/Bike/Pedestrian Safety Plan of 2009
- Traffic Calming Master Plan of 2012
- Transit Mobility Study of 2015

Key Biscayne Transportation





Traffic Signals

Bike Lane

Traffic Calming Structures

-BusRoutes

Key Biscayne Municipal Limits

0.13 0.25



0.5 Miles



Stormwater and Resiliency

Planning for resiliency and addressing sea-level-rise will impact the future plans for the village transportation system and public facilities. The policies in the plan will be updated and revised to include public infrastructure projects that have been completed in addition to policies that address future needs. In the near-term, the 2016 Stormwater Improvement Implementation Plan will continue to be utilized to plan for upgrades to the system island-wide. Drainage improvements will include additional back flow preventers in all outfalls; additional pump stations for areas drained by gravity wells in low lying areas; back flow preventers in the gravity wells; continue to add pervious space as roadway are elevated and right-of-way becomes available. Additionally, in order to continue to fund the drainage improvements, the Village will prepare an updated Stowmwater Utility Fee evaluation and adopt policies to update the stormwater master plan every two years. The Village continues to address climate change issue such as beach erosion with implementation of a beach re-nourishment program which is funded annually as a capital project. Future planning efforts will include considering adding breakwaters and other control mechanisms to prevent erosion. Other efforts to harden public facilities is the Village's plan to embark on under-grounding of the electric service lines. In the near-term, an undergrounding utility master plan will be prepared, which will include cost estimates and funding recommendations. Other updates to utilities could be to provide fiber optic infrastructure village-wide.

Key Biscayne Critical Erosion Area





Critical Erosion Areas
Key Biscayne Municipal Limits

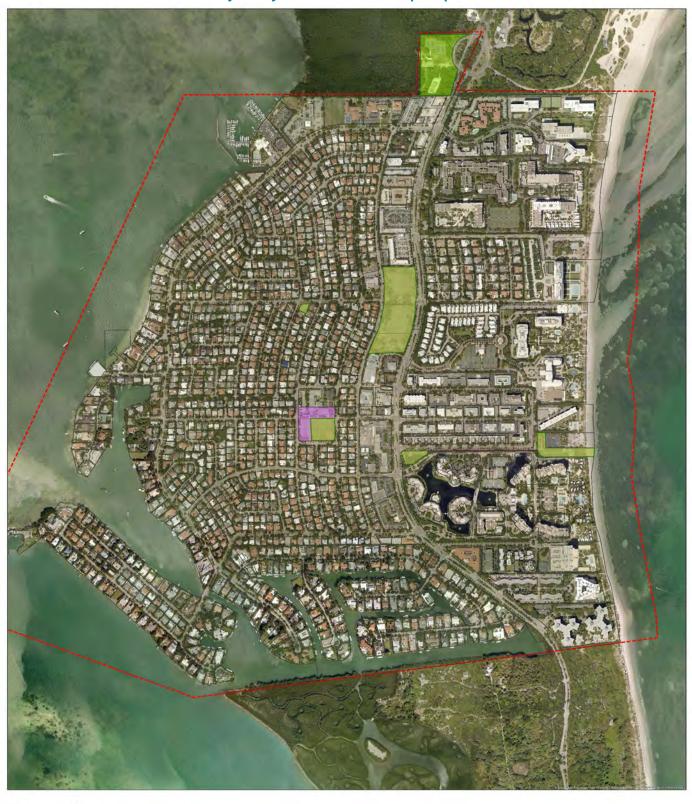
0 0.13 0.25 0.5Miles



Parks and Open Space

The Village recently purchased a vacant single-family parcel and applied for grant funding to develop a new pocket park in order to continue to provide more active recreational acres. The Village is attractive to young, growing families that have recreational needs. The challenge, due to the built-out condition of the island, is the lack of available space for active recreation. During the last planning period the Village developed a new recreation facility next to Village Hall and expanding active park space by adding soccer fields and tot lots. The village plans to continue to explore more opportunities to purchase single-family lots that can be redeveloped into additional pocket parks. The administration will also considered preparing a Parks Master plan to be strategic about the location of new pocket parks. The Parks plan could also consider planning for a new fine arts center or performance center and in the long-term a new library.

Key Biscayne Parks and Public Open Spaces





Key Biscayne Municipal Limits

Open Space

Park

0 0.13 0.25 0.5Miles



Sewer, Water, Solid Waste & Schools

The Village will continue to coordinate and work with the County relating to services they provide such as sewer, water, solid waste and schools. In the previous planning period the sanitary sewer system was completed village-wide. While some users have yet to connect to the system (and remain on septic), the ten year grace period is due to expire in the next year, and all will be required to connect. The Village will continue to maintain the adopted levels-of-service for these facilities. The County maintains the sewer and water infrastructure and has capacity and resources to continue to service the Village's needs during this planning period. The Department operates three regional wastewater treatment plants (WWTP), the North, Central, and South District WWTP, with a permitted treatment capacity of 368 MGD.

It is a recommendation of this plan that the Village prepare and adopt a Water Supply Facilities Plan and amend the comprehensive plan to incorporate updates as needed to bring the plan in compliance. The Village will continue to support water conservation policies such as the requirement for new and redevelopment to install low-flow toilets and showers; restrictions on times and days to water landscaping; and others. The County maintains the sewer and water infrastructure and has capacity and resources to continue to service the Village's needs during this planning period. The Department operates three regional water treatment plants, and five smaller plants in the southern part of the County for a permitted water treatment capacity of 452 million gallons per day (MGD). Water is drawn from the Biscayne Aquifer through 100 wells located in 15 separate wellfields with a permitted allocation of 418 MGD through 2027. The Village has contractual agreements with private haulers for the collection disposal of solid waste. The County maintains the solid waste infrastructure and has capacity and resources to continue to service the Village's needs during this planning period. The South Dade Landfill is a Class I garbage landfill that is permitted to accept garbage, trash, and special wastes such as asbestos, sterile medical waste, sludge, shredded tires, pathological waste (dead animals), ash, and contaminated soil. The North Dade Landfill is a Class III landfill that is permitted to accept only waste that is not expected to produce leachate which poses a threat to public health or the environment, such as trash, yard trash, shredded tires, and construction/ demolition debris. The Resources Recovery Facility (RRF) is owned by the County, the RRF converts garbage into refuse-derived fuel. Garbage and trash are processed into refuse-derived fuel and then burned in four boilers that produce steam to turn two turbine generators. Energy produced from burning the fuel is enough to power the plant and supply the average power needs of approximately 45,000 households per year. The Ash Landfill is a site for the final disposition of ash produced by the RRF.

The Village will continue to seek additional options for school facilities including requesting the school board pursue the "Old Frost Museum" as a new high school to service Key Biscayne and the neighborhoods such a Brickell that is also experiencing an increased need.

Key Biscayne Sewer Lines





Sewer Line
Key Biscayne Municipal Limits

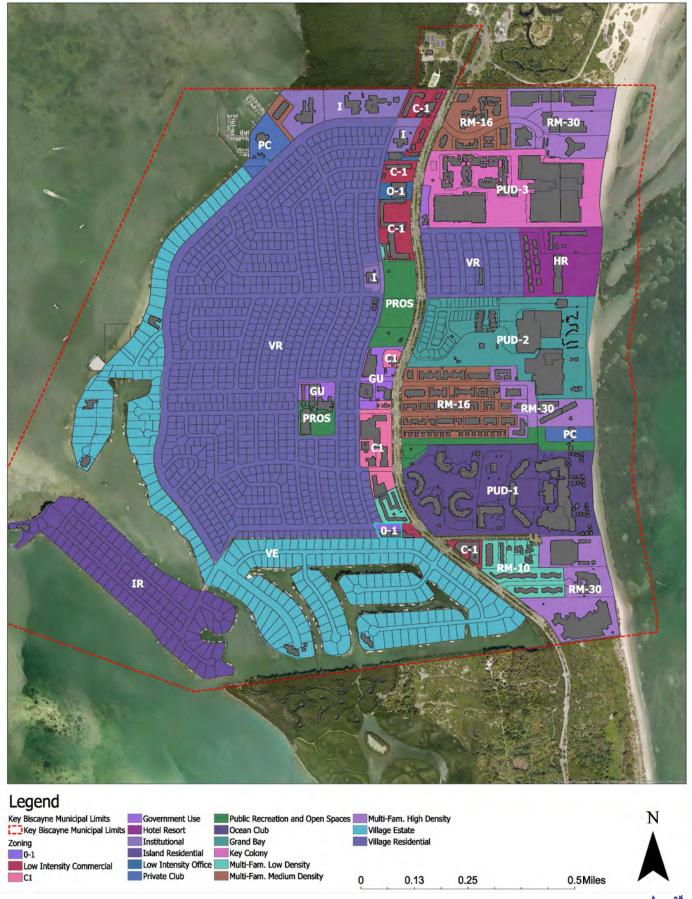
0 0.13 0.25 0.5Miles



Housing

While the density of units is presumed to remain the same over this planning period, the population could continue to increase, especially in the single family neighborhoods, with the largest increases continuing to be among children under age 18. Many existing, modestly sized residential structures are being redeveloped into substantially larger homes containing additional bedrooms. Future growth will be in the form of redevelopment. In addition to the population continue to increase, the redeveloped lots are affecting the community in other ways. Due to the recently adopted Flood Ordinance, homes are required to be built up, elevated out of the flood hazard zone. In some cases this has created a disconnected street scape in which the original Mackel homes remain essentially at ground level while a home next to it could have the front door at close to 15 feet higher. The Village will continue to regulate the use of fill dirt to ensure that elevated homes don't create a run-off hazard to those that remain at original elevation. During this planning period, it is estimated that the redevelopment at the mandated higher ground floor elevation will continue. The Village will consider addressing the aesthetic aspects of new development in creating urban design guidelines to encourage architectural options especially due to need to build at a higher elevation. Goal is to keep the street scape coordinated, the front door should not be 15' off the ground. The urban design guidelines will also address out-of-scale development due to FAR, this should further be addressed in the zoning code. During this period, the Village will continue to support and participate in regional sources of funding for homeowners to install solar panels and other technologies to increase energy efficiency of buildings. The Village currently participates in the PACE and COOP programs which provide financing opportunities to encourage green and energy efficient retrofits for homes.

Key Biscayne Zoning (2018)



Key Biscayne FEMA Flood Zones



<all other values>

D Key Biscayne Municipal Limits
OPEN WATER Key Biscayne Municipal Limits

0.13

0.25

0.5 Miles

EVALUATION AND ANALYSIS



Future Land Use Element

FUTURE LAND USE ELEMENT RECOMMENDED AMENDMENTS

The following is a list of outdated Objectives and Policies that should be revised to address current local conditions that are of importance to the Village and the region.

Policy 1.1.1: Revise the following outdated language "enact and enforce land development code"

Policy 1.1.2: Revise the following outdated language "adopt the land development code"

Policy 1.1.3: Revise the following outdated language: "land development code provisions for subdivisions, signs and floodplain protection"

Policy 1.1.4: Revise the following outdated language "establish and maintain a street tree master plan"

Figure 1: Revise the following outdated language: "Notes pertaining to the future land use map planning period 1994-2004"

Revise the following outdated language: "1. DRI Development Order"

Delete this is a duplicate: "2. copy of note 1 above"

Revise the following outdated language: "3. – 5. Reference to the Traffic Circulation Element"

Revise the following outdated language: "6. site at the SE corner of Crandon and Seaview zoning and future redevelopment"

Revise the following outdated language: "7. acquire pedestrian access rights"

Objective 1.2: Revise the following outdated language: "No later than 2004 revitalization of at least on Crandon Boulevard property"

Policy 1.2.1: Revise the following outdated language: "land development code provisions for development standards"

Policy 2.1.2: Revise the following outdated language: "enact and enforce requirements that septic tank drain fields be installed"

Policy 2.2.4: Revise the following outdated language: "enact and enforce land development code a concurrency management system"

Policy 2.3.2: Revise the following outdated language: "enact and enforce land development code provisions that require one inch of on-site drainage detention""

Objective 2.4: Revise the following outdated language: "Eliminate or reduce land uses which are inconsistent with applicable interagency hazard mitigation report recommendations; Metro-Dade Office of Emergency"

Policy 2.4.1 Revise the following outdated language: "Interagency Hazard Mitigation Team Report, FEMA 955-DR-FL August 1992"

Policy 2.4.2 Revise the following outdated language: "Metro-Dade Office of Emergency Management"

Policy 2.5.1 Revise the following outdated language: "enact and enforce land development code for sewer lift stations, stormwater lift stations..."

Objective 2.6 Revise the following outdated language: "No later than 2015 prepare a list of significant historic structures"

Policy 2.6.1 Revise the following outdated language: "no later than 2015 identify all properties that are at least 50 years old"

Policy 2.7.1 Revise the following outdated language: "implementation of a master drainage plan; replacement of septic tanks with sewer"

Policy 3.1.2 Revise the following outdated language: "land development regulations shall allow for use of alternate renewable sources of energy"

Objective 3.2 Revise the following outdated language: "shall provide policies within the land development regulations which are designed to reduce energy use"

Policy 3.2.5 Revise the following outdated language: "By December 2015 consider amending the land development regulations to adopt specific standards and strategies that address greenhouse gas emissions and energy conservation"

COMPREHENSIVE REVIEW OF THE FUTURE LAND USE ELEMENT

Goals, Objectives, and Policies	Element	Implementation Status
	FUTURE LAND USE	
Goal 1	Achieve desired community character: Key Biscayne should be a residential community. Development policies should protect residential character. Future residential development shall be at the lowest densities consistent with protection of reasonable property rights. Hotels should be permitted in order to provide ocean access opportunities and respect an established land use pattern; however, they should be modest in size so as to not overpower the community's residential character. Other commercial development should be sized to meet the needs of residents and hotel guests. Office development should be limited to the minimum amount practical in light of existing development patterns.	
Objective 1.1	Future Land Use Categories: Maintain existing development and achieve new development and redevelopment which is consistent with the community character statement articulated as Goal 1.	Development Code is
Policy 1.1.1	By statutory deadline or sooner, enact and enforce land development code consistent with the Future Land Use Map (FLUM).	Implemented: Ongoing. The Land Development Code is consistent with the Master Plan.
Policy 1.1.2	Until adoption of a Land Development Code (LDC), regulate development according to the FLUM, including specified land uses, densities and intensities.	Implemented. The Land Development Code was adopted.

Policy 1.1.3	By statutory deadline or sooner, enact and enforce provisions governing subdivisions, signs and floodplain protection consistent with the Master Plan (MP).	Implemented. See below.
	Subdivision regulations.	Implemented. VKB uses the County's subdivision regulations.
	Sign regulations.	Implemented. Sign regulations are governed under the adopted Land Development Code.
	Floodplain protection provisions.	Implemented. Floodplain regulations are based on FEMA requirements as specified in the Master Plan. Additionally, the LDC was amended this year to establish lot elevations for SF-R at 10' + 1' minimum.
Policy 1.1.4	Establish a street tree master plan.	Implemented. Ongoing maintenance.
Objective 1.2	Commercial Redevelopment: By 2004, achieve private revitalization of at least one Crandon Boulevard property that has a blighting impact on the Village.	Implemented.
Policy 1.2.1	By statutory deadline or sooner, enact and enforce land development code standards and incentives to achieve new development, renovated development and or redevelopment that meets high signage, landscaping, circulation/parking and other standards.	Implemented. See below.
	All new development, renovated development and redevelopment consistent with FLUM.	Implemented. The Land Development Code is consistent with the Master Plan.
	Sign regulations.	Implemented. Sign regulations are governed under the adopted Land Development Code.
	Landscaping requirements.	Implemented. Landscaping requirements are governed under the adopted Land Development Code.
	Parking requirements.	Implemented. Parking requirements are governed under the adopted Land Development Code.
Goal 2	Protect and enhance the residential, commercial, resort, and natural resource areas of the Village.	
Objective 2.1	Sanitary Sewer Facilities: Coordinate with the County and appropriate agencies to maintain sanitary sewer service and ensure effective septic and drain field functioning.	Implemented. Ongoing. Septic and drain field monitoring will be phased out during this planning period due to the requirement to connect to the sewer system.

Policy 2.1.1	The Village shall coordinate with Miami-Dade County to maintain sanitary sewer services.	Implemented. The sewer system is complete and VKB will continue to coordinate with Miami-Dade County on maintenance.
Policy 2.1.2	Enact and enforce installation requirements to ensure effective functioning of septic and drain fields.	Implemented. Septic and drain field monitoring will be phased out during this planning period due to the requirement to connect to the existing sewer system.
Objective 2.2	Storm Sewer Infrastructure: Continue to upgrade drainage system so outfalls into Biscayne Bay (and adjacent canals) fully meet NPDES standards and Chapters 17-25 and 17- 302.500, F.A.C., Continue to upgrade private property on-site drainage standards to ensure retention of at least the first one inch of stormwater, and no more runoff after development than before.	Implemented: Ongoing.
Policy 2.2.1	Enforce flood damage prevention regulations to ensure that new development occurs at appropriate elevations to minimize flood impact.	Implemented: Ongoing.
Policy 2.2.2	The Village shall enact and enforce land development code provisions that require one inch of on-site drainage detention, post development runoff equal to or less than pre development runoff, erosion control, a minimum percentage of pervious open space, maintenance of swales, and drainage level-of-service (LOS) standards. These requirements shall be designed to help ensure full compliance with the specific standards set forth in Objective 1.1. of the Infrastructure Element.	Implemented: Ongoing.
Policy 2.2.3	The Village shall continue to upgrade the drainage system so that outfalls into Biscayne Bay and adjoining canals fully meet the NPDES standards and Chapter 17-25 and 17-302.500. F.A.C.	Implemented: Ongoing.
Policy 2.2.4	Enact and enforce as part of the land development code a concurrency management system for development permits that meets 9J- 5.0055 for infrastructure, recreation, and Transportation.	Implemented: Ongoing.
Objective 2.3	Natural Resources: The Village shall continue to upgrade the drainage system so that stormwater outfalls into Biscayne Bay (and adjoining canals) fully meet NPDES and State standards. Upgrade on-site drainage standards to ensure that private properties retain at least the first one inch of stormwater on-site, and permit no more runoff after development than before development.	Implemented: Ongoing.
Policy 2.3.1	Based upon the capital cost implications of the Village of Key Biscayne Drainage Master Plan, the Village shall apply the stormwater utility assessment. The Village shall update its Drainage Master Plan as necessary to ensure the continued efficacy of its provisions to upgrade the storm sewer system in accordance with the specific standards of Objective 1.1 of the Infrastructure Element.	Implemented: Ongoing.

Policy 2.3.2	By the date required by state statue or sooner, the Village shall enact and enforce land development code provisions that require one inch of on-site drainage detention, post development runoff equal to or less than predevelopment runoff, erosion control, a minimum percentage of pervious open space, maintenance of swales, drainage level-of-service standards, ocean beach dune protection and vegetation, and other environmentally sensitive land protection measures. These requirements shall be designed to help ensure full compliance with the specific standards set forth in Objective 2.3 above. Such provisions shall be consistent with this plan and with the applicable Florida statutory and administrative code requirements. The shall also be consistent with applicable standards promulgated by the South Florida Water Management District, the South Florida Reginal Planning Council, Miami-Dade County, the Florida Department of Environmental Protection, and/or other agencies with relevant jurisdiction and/or	Implemented: Ongoing.
	information. Hurricane Evacuation: Eliminate or reduce land uses	Implemented.
Objective 2.4	inconsistent with interagency hazard mitigation report recommendations, and provide all relevant information to the Metro-Dade County (MAC) Office of Emergency Management (OEM).	
Policy 2.4.1	Regulate development according to the FLUM and consistent with Interagency Hazard Mitigation Team Report, FEMA 955-DR-FL, 1992.	Implemented: Ongoing. Development continues to be regulated according to the FLUM. The Hazard Mitigation Team Report of 1992 is no longer relevant.
Policy 2.4.2	Annually assess population densities and transmit significant changes to MDC OEM.	Implemented: Ongoing. No significant changes to density are expected during this planning period.
Objective 2.5	Drainage and Sewer System Land Needs: Ensure suitable land is available for drainage and sanitary sewer facilities needed to support planned infrastructure improvements.	Implemented: Ongoing. The sanitary sewer system is complete village-wide. The Village continues to plan for and update storm drainage infrastructure.
Policy 2.5.1	By statutory deadline or sooner, enact and enforce land development code provisions for sewer and stormwater facilities.	Implemented.
Policy 2.5.2	Do not vacate road rights-of-way (ROW) without first determining that the ROW is not necessary to accommodate future storm and/or sanitary sewer facilities.	Implemented: Ongoing.

Objective 2.6	Historic Preservation: No later than 2015, prepare a list of potentially significant historic structures and a strategy for their preservation including all properties eligible for designation on the National Register of Historic Places.	Not implemented. There is no local designation process, nor a list of historic properties because there are few structures on the Island older than 50 years and of significant historic merit. The structure associated with Nixon was eligible, but it was demolished in the summer of 2004. A cottage on the Matheson property was restored in a manner consistent with how it was originally built to represent typical local tourist lodgings of the time. A plaque was erected to acknowledge its historical significance. As the oldest public buildings age, citizen groups are independently applying for historical designations.
Policy 2.6.1	Based upon historical records and accounts of early development in the Village, the Village shall, no later than 2015, identify all properties that are at least 50 years old. Based upon the inventory of properties, the Village will also consider which buildings, if any, may be eligible for designation on the National Register of Historic Places. A strategy for the preservation of some or all of these structures shall be drafted.	Not implemented. The Village will continue to encourage private designations as buildings age.
Objective 2.7	Biscayne Bay Preservation: Assist MDC's efforts to preserve and enhance Biscayne Bay Aquatic Preserve.	Implemented. The sanitary sewer system is complete village-wide.
Policy 2.7.1	Attempt to maintain and improve water quality of Biscayne Bay by implementing DMP, replacing septic tanks with sanitary sewers, land development code provisions for on-site stormwater detention and marina pump-out facilities, and coordination with Biscayne Bay Shoreline Development Review Committee.	
Objective 2.8	Water Supply: Assist the Miami-Dade County Water and Sewer Department in ensuring there is sufficient water supply for existing and new development in the Village.	Implemented. Through the Land Development Code requirements for concurrency.
Policy 2.8.1	The Village, through the land development regulations, will coordinate land uses and future land use amendments with the availability of water supplies and water supply facilities.	Implemented. Through the Land Development Code requirements for concurrency.
Goal 3	Implement Greenhouse Gas Reduction Strategies.	
Objective 3.1	Reduction energy use and greenhouse gas production: The Village shall consider changes to the future land use plan based upon energy efficient land use patterns, while providing for existing and future energy electric power generation and transmission systems.	Implemented.

Policy 3.1.1	The Village shall ensure that its Master Plan and land development regulation do not prevent the construction of electric substations within the Village.	Implemented.
Policy 3.1.2	The Village's land development regulations shall allow for use of alternate, renewable sources of energy including the use of solar panels.	Implemented.
Policy 3.1.3	The Village shall provide for redevelopment activities in the land development regulations and zoning code and enhance the infrastructure of aging neighborhoods as needed.	Implemented. Through the Land Development Code requirements for new construction.
Policy 3.1.4	The Village shall permit a variety of housing opportunities in varying price ranges.	Implemented. Through the Land Development Code and the FLUM.
Policy 3.1.5	The Village shall continue to allow home based businesses to the extent that impacts are compatible with the residential community.	Implemented. Through the Land Development Code.
Policy 3.1.6	The Village shall support mixed use development to encourage reduced vehicle usage.	Implemented. Through the Land Development Code.
Policy 3.1.7	The Village shall maintain its network of bicycle lanes and pedestrian facilities with specific consideration of connectivity to schools and public facilities.	Implemented: Ongoing.
Policy 3.1.8	The Village shall ensure that new development and redevelopment provides for pedestrian, bicycle and automobile connectivity to adjacent rights-of-ways, adjacent development and the public transportation system.	Implemented: Ongoing.
Objective 3.2	Implement greenhouse gas reduction strategies: The Village shall provide for policies within the land development regulations and Master Plan which are designed to reduce energy use and the creation of greenhouse gases.	Implemented. Through the Land Development Code and the Florida Building Code.
Policy 3.2.1	The Village shall to the extent financially feasible, educate residents on home energy reduction strategies.	Implemented: Ongoing.
Policy 3.2.2	The Village shall to the extent financially feasible, educate residents on the cost and environmental effects of automobile idling.	Implemented: Ongoing.
Policy 3.2.3	The Village shall continue to reduce the heat island effect by maintaining its green infrastructure through maintenance of its tree canopy, parks, open spaces, wetland mitigation areas, landscaped medians and scenic vistas.	Implemented. Ongoing, through the Capital Improvements Plan.
Policy 3.2.4	The Village shall continue to require open space and pervious surface areas in development and redevelopment.	Implemented: Ongoing.
Policy 3.2.5	By December 2015, the Village shall consider amending the land development regulations to adopt specific standards and strategies that address greenhouse gas emissions, energy efficient housing, and overall energy conservation as per Objective 3.1 and 3.2.	Implemented: Ongoing.

Transportation Element

TRANSPORTATION ELEMENT RECOMMENDED AMENDMENTS

The following is a list of outdated Objectives and Policies that should be revised to address current local conditions that are of importance to the Village and the region.

Policy 1.1.2 Revise the following outdated language: "enact and enforce land development code"

Policy 1.1.3 Revise the following to include a date: "shall update its Future Transportation Map, when necessary"

Policy 1.3.1 Revise the following:

- Add to list and update organizations
 - "Metro-Dade County Planning Department"
 - Change "Metropolitan Planning Organization" to "Transportation Planning Organization"

Objective 1.6 Reduction of Greenhouse Gases

Description Paragraph

- Recommendations for expanding policies to include:
 - Including criteria pollutants (NOx, SOx, CO2, Pb, PM, etc.)
 - EPA concurrency and reporting
 - Electric vehicles and fleet expansion
 - Electric vehicle charging stations

Add new policies to address the following as it relates to transportation issues for this planning period:

- Rickenbacker Causeway, address sea level rise and hardening including repairs to ensure bridges don't fail if experiencing significant storm surge
- Continue expanding bike and pedestrian infrastructure
- Climate change mitigation (incorporate new technology to support further reduction in GHG emissions)
- General pollutant mitigation (vehicle idling)
- Continue to expand on the FreeBee golfcart services for Village residents and visitors

COMPREHENSIVE REVIEW OF THE TRANSPORTATION ELEMENT

Goals, Objectives, and Policies	Element	Implementation Status			
	TRANSPORTATION				
Goal 1	To provide a transportation system that meets the circulation needs of Key Biscayne in a safe and efficient manner but does not adversely impact the quality of life of the residents.				

Objective 1.1	Transportation System: Maintain the designated LOS, but with enhanced pedestrian safety and amenities.	Partially implemented and Ongoing. The Village has maintained LOS except at main intersections; however, deficiencies will continued to be corrected. The Crandon Boulevard Street Enhancements are complete. Recent transportation planning includes 2009 Golfcard/bike/pedestrian safety plan; 2012 Traffic Calming Master Plan and 2015 Transit Mobility Study.
Policy 1.1.1	The Village shall regulate timing of development to maintain at least the following peak hour level of service standards: Arterials (LOS "D"); Collectors (LOS "B"); and Local Service Streets (LOS "A").	Implemented: Ongoing. Density limited by ordinance to current level.
Policy 1.1.2	By statutory deadline or sooner, enact and enforce LDC standards regarding roadway access and on-site traffic flow and parking.	Implemented. Parking requirements and on-site traffic flow are governed under the adopted Land Development Code.
Policy 1.1.3	The Village shall update the Future Transportation Map, when necessary	Implemented: Ongoing.
Objective 1.2	Land Use Plan Implications: Limit commercial development and redevelopment to arterial road frontage plus Harbor Drive collector street frontage from Fernwood Road to Crandon Boulevard.	Implemented: Ongoing. The Village has a Commercial zoning district; all commercial development and redevelopment is contained within that zone. As denoted on the future land use map, the District is located along Crandon Boulevard.
Policy 1.2.1	Use future land use and zoning maps to limit commercial and office development to arterial frontage and Harbor Drive collector street frontage from Fernwood Road to Crandon Boulevard except for ocean resorts.	Implemented: Ongoing.
Policy 1.2.2	The Village shall maintain pedestrian, bikeway, and golf cart access points at the rear property lines of commercial properties which are bounded on the rear property line by Fernwood Road.	Implemented: Ongoing.
Policy 1.2.3	The Village shall coordinate its Future Land Use Map with its Future Transportation Map.	Implemented: Ongoing.
Objective 1.3	Regional Plans: Work with MDC to limit traffic volume increases on the Rickenbacker Causeway.	Implemented: Ongoing.
Policy 1.3.1	The Village shall work closely with Miami-Dade County and Metropolitan Planning Organization to limit the intensity of development along the Causeway and Crandon Boulevard in order to maintain an adequate traffic level of service.	Implemented: Ongoing. Adopted Virginia Key and Calusa Park agreements.

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Policy 1.3.2	In order to provide for control of traffic flow associated with Bill Baggs Park, the Village shall encourage the appropriate governmental entities to place and operate electric message signs at the intersection of Interstate 95 and U.S. 1 as well as the Rickenbacker Causeway toll plaza to inform motorist if Bill Baggs Park is at capacity accepting additional visitors.	In Progress.
Objective 1.4	Right-of-Way Protection: Protect existing and future rights-of-way from the encroachment of buildings and other impediments through enactment and enforcement of a land development code which implements the Future Land Use Map and the Future Transportation Map, and achieve a 10 percent net reduction in the lineal footage of Crandon Boulevard (plus on block of Harbor Drive) curb cuts and otherwise protect the integrity of existing and proposed rights-of-way.	Implemented. Curb cuts have been reduced in several locations as a result of the Crandon Boulevard Streetscape Project. The Project's Master Plan explicitly reduced curb cuts.
Policy 1.4.1	Use LDC to prohibit ROW encroachments through setback requirements.	Implemented.
Policy 1.4.2	Use LDC standards and LDC review process to reduce number and width of existing curb cuts on Crandon and Harbor by 10%.	Implemented. See above Objective 1.4.
Objective 1.5	Bikeways and Pedestrian Ways: Maintain the pedestrian and bikeway system for Crandon Boulevard, Harbor Drive, Fernwood Road, West Wood Drive and West Mashta Drive.	Implemented. Ongoing through the Capital Improvement Program.
Policy 1.5.1	The Village shall maintain the bicycle, pedestrian way and streetscape plan for the following streets Harbor Drive, Fernwood Road, West Mashta Drive and Crandon Boulevard. Related to these plans for streetscape improvements will be traffic engineering techniques to slow traffic speeds; the Village shall continue to implement speed control planning and traffic calming mechanisms.	Implemented. Ongoing through the Capital Improvement Program and the implementation of the 2012 Traffic Calming Master Plan.
Objective 1.6	Reduction of Greenhouse Gases: The Village shall explore transportation strategies to implement reductions in greenhouse gas emissions created by the transportation sector.	Implemented. Ongoing through the Capital Improvement Program and the implementation of the 2009 Golfcart/Bike/Pedestrian Safety Plan and the 2015 Transit Mobility Study.
Policy 1.6.1	The Village shall, to the extent financially feasible, explore and develop programs to encourage non-motorized and golf cart transportation by continued improvements and enhancements to its pedestrian, bikeway, and golf cart systems.	Implemented. Ongoing through the Capital Improvement Program and the implementation of the 2009 Golfcart/Bike/Pedestrian Safety Plan.
Policy 1.6.2	To the extent financially feasible, the Village shall educate residents on the cost and environmental effects of automobile idling.	Implemented: Ongoing.
Policy 1.6.3	The Village shall continue to maintain a policy of permitting golf carts on designated local roadways to provide an energy efficient alternative means of transportation for Village residents.	Implemented. Ongoing through the Capital Improvement Program and the implementation of the 2009 Golfcart/Bike/Pedestrian Safety Plan.

Housing Element

HOUSING ELEMENT RECOMMENDED AMENDMENTS

The following is a list of outdated Objectives and Policies that should be revised to address current local conditions that are of importance to the Village and the region.

Policy 1.1.1 Delete this policy, it is a duplication of Objective 1.2

Policy 1.4.2 Revise the following outdated language: "County Surtax funds, the County Housing Finance Agency"

Policy 1.4.5 Revise the following outdated language: "explore potential LDRs to provide for the improvement of energy efficiency in new housing and in the redevelopment of existing housing"

Policy 1.5.1 Revise the following outdated language: "by 2015 shall designate those structures that due to age, architecture and function are candidates for historic designation and protection"

Objective 1.7 Revise the following outdated language: "achieve and maintain 100 percent standard housing and achieve private reinvestment to structurally and aesthetically upgrade at least 50 existing housing units"

Objective 1.8 Revise the following outdated language: "Eval and update the land use designations and districts to promote affordable housing"

Policy 1.8.1 Revise the following outdated language: "coordinate its future land use planning to ensure that LDRs and zoning foster diverse housing types to serve the needs of the Village"

Policy 1.9.1 Revise the following outdated language: "land development regulations shall allow for use of alternate renewable sources of energy"

COMPREHENSIVE REVIEW OF THE HOUSING ELEMENT

Goals, Objectives, and Policies	Element	Implementation
	HOUSING	
Goal 1	To assure the availability of a sound and diversified housing stock in Key Biscayne.	
Objective 1.1	New Construction: Cooperate with private sector in the construction of residential units that are well designed and that provide diversified housing types.	Implemented. Ongoing through the Land Development Code.
Policy 1.1.1	Group Homes: Accommodate as many small group homes and foster care facilities as possible in residential areas.	Implemented. Ongoing through the Land Development Code.
Policy 1.1.2	Periodically review permitting and regulatory processes in the LDC to ensure prompt and professional development permitting process.	Implemented: Ongoing. The Village uses Permits Plus to upgrade processing and established a timeline for permit processing.
Objective 1.2	Group Homes: Accommodate as many small group homes and foster care facilities as possible in residential areas.	Implemented. Duplication of Policy 1.1.1

Policy 1.2.1	The Village shall enact and continue to enforce land development code regulations which permit Statelicensed group homes, including foster care facilities. Such regulations shall permit small scale group homes and foster care facilities in residential areas and areas with residential character and shall otherwise be designed to meet State law. Prior to enactment of such regulations in a manner which is fully consistent with State law and administrative code requirements pertaining to group homes. The Village shall encourage the State to consider the hurricane evacuation constraints in the licensing of facilities on the Key.	Implemented. Ongoing through the Land Development Code.
Objective 1.3	Conservation Rehabilitation, Demolition, Substandard Housing Structural and Aesthetic Improvement of Housing: Maintain a structurally sound housing stock by rehabilitating or demolishing housing units that may deteriorate to a substandard condition in the future. Measure achievement by existence of no substandard housing units.	Implemented: Ongoing.
Policy 1.3.1	The Village Manager shall enforce County minimum housing standards code or appropriate modified code enacted by Council.	Implemented: Ongoing. The County's codes are used.
Policy 1.3.2	Through land development code setback/bulk standards and through implementation of the Village's drainage master plan (including on-site retention standards) the Village shall assure the continuation of stable residential neighborhoods.	Implemented: Ongoing. The Village will continue to revise Land Development Code standards to address bulk as well as compatible street frontage. On-site retention standards have been implemented. The Village continuously plans for and implements improvements to the village-wide drainage system.
Objective 1.4	Housing Coordination and Implementation: The Local Planning Agency (LPA) shall define and seek opportunities to promote affordable housing of a type and within a price range consistent with the local Key Biscayne market and general market conditions.	Implemented: Ongoing. The Village will continue to seek intergovernmental assistance and partnerships when addressing affordable housing beyond what is within the typical price range of the Key Biscayne market.
Policy 1.4.1	Communicate with private and non-profit housing agencies to assure that Village policy information flows to housing providers.	Implemented: Ongoing. The Village will continue to seek intergovernmental assistance and partnerships when addressing affordable housing beyond what is within the typical price range of the Key Biscayne market.

Policy 1.4.2	Cooperate with any developer using County or other subsidy mechanisms.	Implemented: Ongoing. No developer has called to date, but if one did the Village would be willing to cooperate.
Policy 1.4.3.	The Village shall explore federal, state, and local housing subsidy programs as a means to provide housing opportunities for very low, low, and moderate-income persons and families.	Implemented: Ongoing. The Village will continue to seek intergovernmental assistance and partnerships when addressing affordable housing beyond what is within the typical price range of the Key Biscayne market.
Policy 1.4.4	The Village shall monitor current and future housing needs and explore innovative solutions to increase the affordability and diversity of housing stock while maintaining compliance with Coastal High Hazard Area and Floodplain regulations	Implemented: Ongoing. The Village will continue to seek intergovernmental assistance and partnerships when addressing affordable housing beyond what is within the typical price range of the Key Biscayne market.
Policy 1.4.5	The Village shall explore potential land development regulations to provide for the improvement of energy efficiency in new housing and in the redevelopment of existing housing.	Implemented. Ongoing through the Land Development Code and the Florida Building Code requirements.
Objective 1.5	Historically Significant Housing: Identify historically significant residential properties within the Village.	Not implemented. There is no local designation process, nor a list of historic properties because there are few structures on the Island older than 50 years and of significant historical merit.
Policy 1.5.1	Based upon historical records and accounts of early development in the Village, by 2015 the Village should designate those structures that due to age, architecture and function are candidates for historic designation and protection. A strategy for the preservation of some or all of these structures shall be drafted. The Village should identify all properties that are at least 50 years old. Based upon the inventory of properties, the Village may consider the designation of a local historic district. In addition, the Village will also consider which buildings, if any, may be eligible for designation on the National Register of Historic Places.	Not implemented. See above Objective 1.5.
Objective 1.6	Development of Affordable Housing in Nearby Communities: List adequate sites for the distribution of very low income, low income and moderate income families.	In progress. The Village has not listed adequate sites in other communities, nor has its help been requested.

Policy 1.6.1	Village manager or designee shall monitor the housing and related activities of the South Florida Regional Planning Council and nearby local jurisdictions. The Village manager or designee will inform Village Council of these activities and shall recommend, as appropriate actions that could help encourage the provision of adequate sites for distribution of affordable housing in nearby communities with land values that can reasonably accommodate such housing. The Village shall encourage ongoing interlocal coordination with other jurisdictions and non-governmental agencies to facilitate the provision of affordable housing.	In progress. The Village shall continue to encourage ongoing interlocal coordination with other jurisdictions and nongovernmental agencies to facilitate the provision of affordable housing.
Policy 1.6.2	The Village shall coordinate with Miami-Dade County and the City of Miami to create a program for annual evaluation of affordable housing needs within incorporated and unincorporated areas.	In Progress. Implementation will occur through intergovernmental coordination efforts.
Policy 1.6.3	The Village shall participate in the South Florida Regional Planning Council's initiatives directed toward educating local governments of new techniques, especially programs applicable to the region and county, for promoting affordable housing.	In Progress. Implementation will occur through intergovernmental coordination efforts.
Policy 1.6.4	The Village shall evaluate the feasibility of establishing an affordable housing trust fund in partnership with Miami-Dade County or the City of Miami through interlocal agreements, to fund affordable housing programs and projects in Miami-Dade County and/or the City of Miami.	In Progress. Implementation will occur through intergovernmental coordination efforts.
Policy 1.6.5	Through the Village's affordable housing initiatives, and through intergovernmental coordination with Miami-Dade County and/or the City of Miami through interlocal agreements, the Village shall establish standards to improve energy efficiency of housing provided through affordable housing programs.	In Progress. Implementation will occur through intergovernmental coordination efforts.
Objective 1.7	Structural and Aesthetic Improvement of Existing Housing: Achieve and maintain 100% standard housing and achieve private reinvestment to structurally and aesthetically upgrade at least 50 existing housing units.	Implemented: Ongoing. The number of renovated Mackel homes greatly exceeds 50. This policy should be updated to reflect the current condition in the Village.
Policy 1.7.1	Vigorously enforce the existing code to ensure no housing becomes substandard.	Implemented: Ongoing.
Policy 1.7.2	The Village shall enforce LDC regulations which set appropriate building height, setback and other regulations which facilitate aesthetically pleasing upgrades to existing housing stock.	Implemented. Ongoing through the Land Development Code.
Objective 1.8	Coordination with Future Land Use Element: Evaluate the Future Land Use Element and Future Land Use Map and as feasible, update the Village's land use designations and zoning districts in order to promote the development of affordable housing within the Village.	Implemented: Ongoing. Zoning and the FLUM allows for varying densities in zoning districts, however these regulations do not govern the market values.

Policy 1.8.1	The Village shall coordinate its future land use planning to ensure that land designations and zoning districts foster diverse housing types to serve the needs of the Village's population by providing adequate areas for a variety of residential housing types including single-family, duplex, and multi-family units.	Implemented: Ongoing. Zoning and the FLUM allows for varying densities in zoning districts.
Objective 1.9	Greenhouse Gas Reduction: Support energy use and greenhouse gas reduction in conjunction with the existing and new housing stock.	Implemented.
Policy 1.9.1	The Village's land development regulations shall allow for the use of alternative, renewable sources of energy including the use of solar panels. The Village shall not prohibit the appropriate placement of photovoltaic panels. The Village shall develop and adopt review criteria to establish the standards for the appropriate placement of photovoltaic panels.	Implemented.
Policy 1.9.2	The Village, to the extent financially feasible, shall educate residents on home energy reduction strategies.	Implemented.
Policy 1.9.3	The Village shall encourage the placement of landscape materials to reduce energy consumption.	Implemented.



Infrastructure Element

INFRASTRUCTURE ELEMENT RECOMMENDED AMENDMENTS

The following is a list of outdated Objectives and Policies that should be revised to address current local conditions that are of importance to the Village and the region.

Objective 1.1 - Drainage

Description Paragraph

Revise the following outdated language: "The Village shall continue to upgrade "AND MAINTAIN", delete the duplication of statement

Revise to reflect the most current Drainage Master Plan

Policy 1.1.1 Revise to set timeline horizons for assessments and updates to stormwater utility assessment, and Drainage Master Plan

Policy 1.1.2 Revise to delete redundancy; this is part of the Drainage Master Plan

Policy 1.1.3 Revise the following outdated language, which has been included in the Land Development Code:

- One-inch of on-site detention
- Post-development runoff equal to or less than peak pre-development runoff
- Erosion control
- Minimum percentage of pervious open space
- Maintenance of swales
- Drainage LOS standard

Objective 1.2 – Revise the following outdated language: "ensure effective septic and drain field functioning"

Objective 1.3 – Revise to add language on Sustainability (e.g. waste diversion/reduction, recycling, etc.)

Objective 1.4 – Level of Service

- Revise Level of Service standards as needed
 - "maximum day flow" (140 gallons/person/day) sewage
 - "maximum day flow" (280 gallons/person/day) potable water o 20 pounds/square inch at property line
 - Drainage (meet local/state/fed requirements); one inch retainment
 - Solid waste (5 years' capacity; 5.2 pounds/person/day generation)

Policy 1.4.2 – Delete, the policy is outdated.

Policy 1.4.4 – Delete "Post-development shall not exceed peak pre-development runoff" – redundant with policy 1.1.3 (Land Development Code)

Policy 1.5.9 Revise the following outdated language, add language about exploring new BMPs and technologies: "The Village shall protect water quality in traditional and new alternative water supply sources"

RECOMMENDED NEW OBJECTIVES AND POLICIES

- Think about unintended consequences for stormwater (e.g. swales not reducing water, but holding it; having water come up through swales)
- Adding language about BMPs, new technologies, green infrastructure for stormwater management
- STORMWATER MANAGEMENT need to include updates based on the most recent stormwater improvement implementation plan and on issues and how they will be managed in the future
- SEWERS Include policies that address requirements for septic tank users to connect to the sanitary sewer system.
- Add language on Sustainability of Solid Waste systems (waste diversion, waste reduction, home composting, solar panels, etc)
- Add language on resiliency planning in phases that make sense; ie. Adding pumps before raising streets
- Add policies on beach protection infrastructure such as the feasibility of breakwaters
- Add policy for potential to elevate road on/off island at Crandon Park which is already experiencing flooding during heavy storm events
- Update the Infrastructure Element to address Water Supply Planning and for consistency with the Lower East Coast Water Facilities Supply Plan.

COMPREHENSIVE REVIEW OF THE INFRASTRUCTURE ELEMENT

Goals, Objectives & Policies	Element	Implementation			
	INFRASTRUCTURE				
Goal 1	To provide and maintain the public infrastructure in a manner that will insure bay water quality, and public health, safety, and quality of life for Key Biscayne residents.				
Objective 1.1.	Current Deficiencies and Future Needs; Drainage: The Village shall continue to upgrade the drainage system so that stormwater outfalls into Biscayne Bay (and adjacent canals) fully meet NPDES standards and Chapters 17-25 and 17-302.500, F.A.C. The Village shall continue to upgrade on-site drainage standards to ensure that private properties retain at least the first one inch of stormwater on-site, and permit no more runoff after development than before development.	Implemented: Ongoing. The Village has continuously planned for and implemented storm water and drainage improvements village- wide including compliance with outfall standards at all 17 of the outfall to Biscayne Bay. The Village is currently implementing the recommendations from the 2016 Stormwater Improvement Implementation Plan by EAC. The Village submits annual NPDES reports and is audited yearly.			
Policy 1.1.1	The Village shall maintain the stormwater utility assessment. The Village shall continue to update its Drainage Master Plan as necessary to ensure the continued efficacy of its provisions to upgrade of storm sewer system in accordance with the specific standards of Objective 1.1 above.	Implemented: Ongoing. During this planning period the Village will prepare a study to review future funding needs and necessary adjustments to the stormwater utility fund assessments.			

Policy 1.1.2	During the first phase of drainage master plan implementation, the Village shall begin to mitigate to the extent technically and economically feasible direct stormwater outfalls into the canals and Biscayne Bay. Anticipated improvements include a series of catch basins, manholes and pipes for the collection of the stormwater and routing to pollution control structures and drainage wells with emergency overflows. The pollution control devices (grease and oil separator) are to be provided before each drainage well to prevent contamination from entering. Emergency overflow structures are to be constructed at the existing outfalls and would discharge only when the storm events generates more than one inch of runoff. These improvements shall be designed to fully meet the specific standards set forth in Objective 1.1. above.	Implemented: Ongoing. The Village has continuously planned for and implemented storm water and drainage improvements village- wide including compliance with outfall standards at all 17 of the outfall to Biscayne Bay. The Village is currently implementing the recommendations from the 2016 Stormwater Improvement Implementation Plan by EAC. The Village submits annual NPDES reports and is audited yearly.
Policy 1.1.3	By statutory deadline or sooner, enact and enforce provisions regarding on-site drainage detention, runoff, erosion, minimum pervious open space, swale maintenance, and drainage level-of-service standards in order to meet requirements as outlined by Objective 1.1 above.	Implemented: Ongoing. Through the Land Development Code regulations.
Objective 1.2	Current Deficiencies and Future Needs; Sewage: Coordinate with the County and appropriate agencies to maintain sanitary sewer service, and ensure effective septic and drain field functioning. See Policies 1.2.1 for additional measurability.	Implemented. Septic and drain field monitoring will be phased out during this planning period due to the requirement to connect to the existing sewer system.
Policy 1.2.1	The Village shall help ensure effective functioning of septic tanks and drain fields by cooperating with the State and the County in the exercise of the jurisdiction of these agencies over septic tanks and drain field permitting and requirements.	Implemented. Septic and drain field monitoring will be phased out during this planning period due to the requirement to connect to the existing sewer system.
Objective 1.3	Future Needs; Solid Waste: Continue to achieve the most cost-effective solid waste collection system.	Implemented: Ongoing through existing contracts with haulers.
Policy 1.3.1	The Village shall monitor the cost efficiency of solid waste collection systems and Initiate any resulting recommended changes in the solid waste collection and recycling system.	Implemented: Ongoing through existing contracts with haulers.
Objective 1.4	Level of Service: Provide adequate capacities to meet the LOS standards; see policies for measurable standards.	Implemented.
Policy 1.4.1	Sewered Areas: County-wide "maximum day flow" of preceding year shall not exceed 98% of County treatment system's rated capacity. The sewage generation standard shall be 140 average gallons per capita per day.	Implemented: Ongoing.
Policy 1.4.2	Unsewered Areas: The LOS shall be receipt of a DERM septic tank permit.	Obsolete. The Village is serviced by a sanitary sewer system.

Policy 1.4.3	Potable Water: County-wide "maximum day flow" of preceding year shall not exceed 98% of County treatment system's rated capacity. Minimum pressure of 20 lbs./sq. in. at property line and consumption standard of 280 avg. gallons/capita/day.	Implemented: The adopted LOS is maintained, however, it is a recommended of this plan that the Village update the LOS for Potable Water to be consistent with the Lower East Coast Water Facilities Supply Plan.
Policy 1.4.4	Drainage: Nonresidential development and redevelopment accommodate runoff to meet Federal, state and local requirements. Stormwater is treated in according to Chapter 17-25 and Chapter 17-302.500, F.A.C., with one inch of runoff retained on site.	Implemented: Ongoing, onsite stormwater retention is mandated.
Policy 1.4.5	Solid Waste: County solid waste disposal system maintains a minimum of five years capacity using a generation rate of 5.2 pounds per person per day.	Implemented: Ongoing through existing contracts with haulers.
Objective 1.5	Water Conservation: Continue to strive to reduce the average daily per capita water consumption (dependent upon near-term ability to measure Village-wide consumption).	Implemented: Ongoing, water conservation is required through enforcement of the Florida Building Code. It is a recommended of this plan that the Village update the conservation policies for Potable Water to be consistent with the Lower East Coast Water Facilities Supply Plan.
Policy 1.5.1	By statutory deadline or sooner, enact and enforce LDC regulations including water conservation-based irrigation; water conservation-based plant species, lawn watering restrictions, mandatory use of ultra-low volume water saving devices for substantial rehabilitation and new construction, and other water conservation measures as feasible.	Implemented: Ongoing, water conservation is required through enforcement of the Florida Building Code. It is a recommended of this plan that the Village update the conservation policies for Potable Water to be consistent with the Lower East Coast Water Facilities Supply Plan.
Policy 1.5.2	Promote education programs that discourage waste and conserve potable water.	Implemented: Ongoing, water conservation is required through enforcement of the Florida Building Code. It is a recommended of this plan that the Village update the conservation policies for Potable Water to be consistent with the Lower East Coast Water Facilities Supply Plan.

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Policy 1.5.3	The Village will cooperate with Miami-Dade County in the effort to devise a means of tracking water consumption in the Village from customer billings or other sources.	Implemented: Ongoing. Through intergovernmental coordination the Village has access to water consumption rates.
Policy 1.5.4	Cooperate with WASA efforts to ensure the potable water distribution system shall reduce water loss to less than 16% of the water entering the system.	Implemented: Ongoing. Through intergovernmental coordination the Village will continue to monitor water loss in the system.
Policy 1.5.5	The Village shall update the Master Plan within 18 months of the South Florida Regional Water Management District updating its regional water supply plan, highlighting alternative water supply projects and completing the required "Work Plan Amendment"	Not Implemented. It is a recommendation of this plan that the Village update the comprehensive plan policies for Potable Water to be consistent with the Lower East Coast Water Facilities Supply Plan.
Policy 1.5.6	The Village shall seek and obtain a written statement from the Miami-Dade County Water and Sewer Department regarding the availability of water to serve all proposed development projects, including the current and projected demand, remaining permitted water withdrawals, facility capacity, and scheduled capital improvement projects.	Not Implemented. It is a recommendation of this plan that the Village update the comprehensive plan policies for Potable Water to be consistent with the Lower East Coast Water Facilities Supply Plan.
Policy 1.5.7	The Village shall establish a single-point-of-contact at the South Florida Water Management District and the Miami-Dade County Water and Sewer Department to determine the extent to which the Village will be involved in the planning, financing, construction and operation of water supply facilities that will serve the community.	Not Implemented. It is a recommendation of this plan that the Village update the comprehensive plan policies for Potable Water to be consistent with the Lower East Coast Water Facilities Supply Plan.
Policy 1.5.8	The Village shall verify with the Miami-Dade County Water and Sewer Department the availability of water before making changes to the Future Land Use Map.	Not Implemented. It is a recommendation of this plan that the Village update the comprehensive plan policies for Potable Water to be consistent with the Lower East Coast Water Facilities Supply Plan.
Policy 1.5.9	The Village shall protect water quality in traditional and new alternative water supply sources.	Not Implemented. It is a recommendation of this plan that the Village update the comprehensive plan policies for Potable Water to be consistent with the Lower East Coast Water Facilities Supply Plan.
Policy 1.5.10	The Village shall establish a concurrency monitoring system for water supply to ensure that the level-of-service is satisfied at the building permit stage.	Not Implemented. It is a recommendation of this plan that the Village update the comprehensive plan policies for Potable Water to be consistent with the Lower East Coast Water Facilities Supply Plan.

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Conservation & Coastal Management Element

CONSERVATION & COASTAL MANAGEMENT ELEMENT RECOMMENDED AMENDMENTS

The following is a list of outdated Objectives and Policies that should be revised to address current local conditions that are of importance to the Village and the region.

Objective 1.2 – Water Pollution: Revise the Objective to update dates

Policy 1.3.1 - Update language and statutes

Policy 1.4.1 Revise and update "Dade County manatee telephone hotline"

Policy 1.4.2 Revise and create more precise language (hours, locations, specific types of lighting, etc.)

Objective 1.5 – Floodplains Add policy (1.5.2) about reporting to FEMA; CRS credits?

Objective 1.7 – Conservation of Wildlife and Habitat

Policy 1.7.1 Include language regarding additional agencies (State DEP?)

Objective 1.8 Water Supply

Policy 1.8.5 Revise outdated language: "Shall implement the 10-Year Water Facilities Work Plan"

Policy 1.8.8 Revise outdated language: "Enforce Miami-Dade County's Water Use Efficiency Standards Ordinance"

Policy 1.8.11 - Add to list: FPL Right Tree, Right Place

Objective 2.4 – Historic Preservation

- Consider expanding criteria upon which structures are designated historic
- Add policy about archeological sites, historic districts, etc.

Policy 2.4.1 Revise outdated language and Update "by 2015"

Objective 3.3 – Post-Disaster Redevelopment Planning

- Consolidate language within Objective 3.3
 - State that PDRP exists and should be implemented immediately following a disaster
 - State how often it needs to be updated

Policy 3.3.2 – sub-policy for 3.3.1.; should be included in the PDRP.

Objective 3.5 – Hurricane Damage Avoidance

- Lots of redundancy with other policies
 - Policy 3.5.1 redundancy with 1.7.3
 - Policy 3.5.2 redundancy with 1.5.1
 - Policy 3.5.3 redundancy with some stormwater policies (different enough)

Policy 3.5.5 - verify relevancy of documents and plans listed

Objective 3.6 Energy Conservation and GHG Reduction



Policy 3.6.4

- "By 2015 adopt specific standards to reduce GHG emissions..."
- Was this done? Does it need to be updated to "maintain"? What is overall strategy for Climate Change mitigation/GHG reduction?

RECOMMENDED NEW OBJECTIVES AND POLICIES

- Consider creation of the Key Biscayne Special Management Zone (SMZ).
- Hurricane Preparedness trees (pruning, canopy maintenance), debris cleanup (pre and post)
- Expansion of Historic Structure (to include district, zones, waterfronts, etc.)
- Other mechanisms to enforce manatee and sea turtle protection

Goals, Objectives & Policies	Element	Implementation
(Conservation a	CONSERVATION AND COASTAL MANAGEMEN and Coastal Management goals, objectives and policies are combined b	
Goal 1	To preserve and enhance the significant natural features in Key Biscayne.	
Objective 1.1	Air Quality: Improve air quality to achieve or maintain applicable standards as established by the US Environmental Protection Agency (EPA).	Implemented: Ongoing. Through intergovernmental coordination, the Village supports Miami-Dade County's efforts to improve air quality.
Policy 1.1.1	Maintain compliance with traffic LOS standard thereby avoiding congestion that would adversely impact air quality.	Implemented: Ongoing. Crandon Boulevard improvements and plans for Harbor Drive at the Village entrance have addressed congestion and air quality issues. Traffic issues will continue to be addressed during this planning period through implementation of recent transportation studies (See Transportation Element)
Policy 1.1.2	Control emissions from all hazardous waste facilities to comply with Lowest Achievable Emission Rates, including vapor control systems to control hydrocarbon emissions at gas stations.	Implemented: Ongoing. Through intergovernmental coordination, the Village supports Miami-Dade County's efforts to improve air quality.

Objective 1.2	Water Pollution: Upgrade drainage system so outfalls into Biscayne Bay (and adjacent canals) fully meet NPDES standards and Chapters 17-25 and 17-302.500, F.A.C., by 1998. Upgrade private property on-site drainage standards to ensure retention of at least the first one inch of stormwater, and no more runoff after development than before.	Implemented: Ongoing. The Village has continuously planned for and implemented storm water and drainage improvements village- wide including compliance with outfall standards at all 17 of the outfall to Biscayne Bay. The Village is currently implementing the recommendations from the 2016 Stormwater Improvement Implementation Plan by EAC. The Village submits annual NPDES reports and is audited yearly.
Policy 1.2.1	Based on capital cost implications of DMP, activate the stormwater utility assessment as a basis for bonding by 1998. Update DMP to upgrade storm sewer system to meet standards of Objective 1.1 of the Infrastructure Element.	Implemented: Ongoing. The Village collects assessments from all property owners to finance the Stormwater Utility Fund. The Village is currently implementing the recommendations from the 2016 Stormwater Improvement Implementation Plan by EAC.
Policy 1.2.2	By statutory deadline or sooner, enact and enforce LDC provisions regarding detention, runoff, erosion control, pervious open space minimums, swales, drainage LOS, beach dune protection and other land protection measures.	Implemented: Ongoing. Through the Land Development Code requirements.
Policy 1.2.3	Refer any development permit applications for storage of hazardous waste to MDC.	Implemented: Ongoing. Through intergovernmental coordination efforts.
Objective 1.3	Vegetative and Soil Resources: Achieve zero net loss of mangroves.	Implemented: Ongoing. Ongoing There is no official Village map of mangroves. However, housing projects are evaluated on a case-by- case basis including a review of landscape. Should a project significantly infringe on environmental features, the Village would deny approval where appropriate.
Policy 1.3.1	By statutory deadline or sooner, enact and enforce estuarine waterfront protection provisions in the LDC in accordance with state of Florida Department of Environmental Protection (FDEP) and waterfront policies of DERM.	Implemented: Ongoing. As a result of lessons learned from Hurricane Irma in 2017, the Village will continue to considers new policies to address waterfront protection provisions.

Policy 1.3.2	Contact DERM if any adverse impact is observed relative to the limited sea grass beds in adjacent Bay waters.	Implemented: Ongoing. Through intergovernmental coordination efforts.
Objective 1.4	Sea Turtle Preservation: Strive to achieve zero human-induced loss of manatees and/or sea turtle eggs.	Implemented: Ongoing. Through education and intergovernmental coordination efforts.
Policy 1.4.1	Village police will report speeding violations in manatee protection areas to County and State marine police, and publicize the MDC manatee telephone hotline to the public.	Implemented: Ongoing. Through enforcement and intergovernmental coordination efforts.
Policy 1.4.2	By statutory deadline or sooner, enact and enforce land development provisions to minimize light on beach areas where sea turtles nest.	Implemented: Ongoing. Through Land Development Code requirements.
Objective 1.5	Floodplains: Achieve construction of all new building first floors at or above FEMA specified flood regulations and also, for non-residential uses only, in accordance with FEMA approved waterproof construction specifications.	Implemented: Ongoing. The Village has a base flood elevation ordinance that is more restrictive than FEMA's requirements.
Policy 1.5.1	Village Manager shall design and promulgate specific management techniques to ensure effective enforcement of FEMA regulations. Flood damage prevention regulations shall be enforced by the Village.	Implemented: Ongoing. Through Land Development Code and the 2017 Flood Ordinance requirements.
Objective 1.6	Emergency Water Conservation: Reduce per capita water consumption by at least 10% in the event of a water supply emergency (pending upon near term ability to measure Village-wide consumption).	Implemented: Ongoing. Through education and intergovernmental coordination efforts.
Policy 1.6.1	Enact and enforce and emergency water conservation based on South Florida Water Management District (SFWMD) model ordinance and requirements.	Implemented: Ongoing. Through intergovernmental coordination efforts.
Objective 1.7	Conservation of Wildlife and Habitat: Achieve zero degradation of fisheries, wildlife, wildlife habitat, marine habitat and environmentally sensitive land.	Implemented: Ongoing. Through education and enforcement efforts.
Policy 1.7.1	Cooperate with US Army Corps of Engineers (ACE) for beach renourishment as necessary to minimize damage to offshore grass flats, terrestrial and marine animal habitats and dune vegetation.	Implemented: Ongoing. Through the Land Development Code requirements and the Capital Improvement Program which includes yearly beach nourishment activities.
Policy 1.7.2	Limit permits (within Village jurisdiction) for beach restoration or renourishment borrow areas to those that do not negatively affect offshore reefs or grass flats.	Implemented: Ongoing. Through the Land Development Code requirements and the Capital Improvement Program which includes yearly beach renourshment activities.

Policy 1.7.3	By statutory deadline or sooner, enact and enforce LDC provisions requiring minimum building setbacks from the ocean. Prevent encroachment on beach front according to the Dune Restoration Area of the FLUM and the Coastal Construction Control Line.	Implemented: Ongoing. Through restrictions on construction to Coastal Zone A.
Policy 1.7.4	Prohibit dredging or filling that would result in the destruction of grass/algae flats, hard bottom or benthic communities within Village limits.	Implemented. This applies only in canals or in natural harbors (e.g. Hurricane Harbor; within the Yacht Club). The Village limits end at shoreline on Bayside. Measured at high tide, the beach along the Atlantic seaward is property of the State. Bayside water is County property up to the southern portion of the island, where it is national parkland.
Policy 1.7.5	Prohibit deposit of solid waste or industrial waste that create a health or environmental hazard.	Implemented: Ongoing.
Policy 1.7.6	Maintain standing as a bird sanctuary, and prohibit destruction of any bird except by those persons with a valid permit for scientific purposes issued by the US Fish and Wildlife Service.	Implemented: Ongoing. Cape Florida State Park/Bill Baggs is officially recognized as a bird sanctuary.
Policy 1.7.7	Require all new shoreline development affecting marine habitats to be reviewed by DERM.	Implemented: Ongoing. Through intergovernmental coordination with DERM.
Policy 1.7.8	Give preference to salt tolerant landscaping over traditional materials in the enactment of the landscape requirements of the LDC.	Implemented: Ongoing. Through the landscape requirements in the Land Development Code.
Policy 1.7.9	Prohibit and require eradication of invasive species on all sites of new and redevelopment projects.	Implemented: Ongoing. Through the landscape requirements in the Land Development Code.
Policy 1.7.10	Coordinate with County and FDEP in monitoring coastal waters and sediments.	Implemented: Ongoing. The Village has created a volunteer beach clean-up program that coincides with a national annual coastal clean-up effort.
Policy 1.7.11	Cooperate and comply with Federal, state and county programs and mandates regarding dockside pump out facilities.	Implemented: Ongoing.
Policy 1.7.12	Promote beautification with an annual clean-up drive for the beaches and shorelines.	Implemented: Ongoing. The Village has created a volunteer beach clean-up program that coincides with a national annual coastal clean-up effort.

Policy 1.7.13	Enact and enforce an emergency water conservation plan, through a water shortage ordinance consistent with SFWMD.	In progress.
Policy 1.7.14	Officially designate DERM mangrove areas within the Village (see Figure V-1, Data and Analysis) as environmentally sensitive lands which shall be protected from development unless their ecological value is replaced via mitigation.	In progress.
Objective 1.8	Water Supply: Assist the Miami-Dade County Water and Sewer Department in ensuring there is sufficient water supply for existing and new development in the Village.	Implemented. The Village monitors water supply through concurrency, however, it is a recommended of this plan that the Village update the LOS for Potable Water to be consistent with the Lower East Coast Water Facilities Supply Plan.
Policy 1.8.1	The Village shall coordinate land uses and future land use changes with the availability of water supplies and water supply facilities.	Implemented. The Village monitors water supply through concurrency, however, it is a recommended of this plan that the Village update the LOS for Potable Water to be consistent with the Lower East Coast Water Facilities Supply Plan.
Policy 1.8.2	The Village shall adopt 155 gallons of water per person per day as its level-of-service standard for residential and nonresidential users.	Implemented. The adopted LOS is maintained, however, it is a recommended of this plan that the Village update the LOS for Potable Water to be consistent with the Lower East Coast Water Facilities Supply Plan.
Policy 1.8.3	The Village shall continue to implement the same or more stringent water conservation measures through its land development regulations.	Implemented. Ongoing, water conservation is required through enforcement of the Florida Building Code. It is a recommended of this plan that the Village update the conservation policies for Potable Water to be consistent with the Lower East Coast Water Facilities Supply Plan.

Policy 1.8.4	The Village shall conserve potable water resources, including the support of reuse programs and potable water conservation strategies and techniques.	Implemented. Ongoing, water conservation is required through enforcement of the Florida Building Code. It is a recommendation of this plan that the Village update the conservation policies for Potable Water to be consistent with the Lower East Coast Water Facilities Supply Plan.
Policy 1.8.5	The Village shall implement the 10-Year Water Facilities Work Plan to ensure that adequate water supplies and public facilities are available to serve the water supply demands of the Village's population.	Not Implemented. It is a recommendation of this plan that the Village update the conservation policies for Potable Water to be consistent with the Lower East Coast Water Facilities Supply Plan.
Policy 1.8.6	Since the potable water network is an interconnected, countywide system, the Villages' Planning Department shall cooperate with the Miami-Dade County Water and Sewer Department to jointly develop methodologies and procedures for biannually updating estimates of system demand and capacity, and ensure that sufficient capacity to serve development exists.	Not Implemented. It is a recommendation of this plan that the Village update the conservation policies for Potable Water to be consistent with the Lower East Coast Water Facilities Supply Plan.
Policy 1.8.7	In in the future there are issues associated with water supply, conservation or reuse, the Village shall immediately contact the Miami-Dade County Water and Sewer Department to address the corresponding issues. In addition, the Village will follow adopted communication protocols with the Miami-Dade County Water and Sewer Department to communicate and/or prepare an appropriate action plan to address any relevant issue associated with water supply, conservation or reuse.	Not Implemented. It is a recommendation of this plan that the Village update the conservation policies for Potable Water to be consistent with the Lower East Coast Water Facilities Supply Plan.
Policy 1.8.8	The Village shall enforce Miami-Dade County's Water Use Efficiency Standards Ordinance, adopted on February 5, 2008.	Implemented. Ongoing, water conservation is required through enforcement of the Florida Building Code. It is a recommendation of this plan that the Village update the conservation policies for Potable Water to be consistent with the Lower East Coast Water Facilities Supply Plan.

Policy 1.8.9	The Village may consider requiring the use of highefficiency toilets, showerheads, faucets, clothes washers, and dishwashers in all new and redevelopment residential projects.	
Policy 1.8.10	The Village shall encourage the use of sub-metering for all multi-unit residential developments, including separate meters and monthly records kept of all major water-using functions such as cooling towers and individual buildings, in all new and redeveloped multifamily residential projects.	Implemented. Ongoing, water conservation is addressed through the Land Development Code
Policy 1.8.11	The Village may encourage the use of Florida Friendly Landscape guidelines and principles; gutter downspouts, roof runoff, and rain harvesting through the use of rain barrels and directing runoff to landscaped areas; drip irrigation or micro-sprinklers; and the use of porous surface materials (bricks, gravel, turf block, mulch, pervious concrete, etc.) on walkways, driveways and patios.	Implemented. Ongoing, water conservation is addressed through the Land Development Code. It is a recommended of this plan that the Village update the conservation policies for Potable Water to be consistent with the Lower East Coast Water Facilities Supply Plan.
Goal 2	To conserve and manage the environmental resources and man-made uses in the coastal area of Key Biscayne.	
Objective 2.1	Water-Dependent and Water-Oriented Uses: Preserve existing and planned sites for water-dependent and water-oriented ocean hotel resort uses, and assure that marina expansion or development meets appropriate location standards.	Implemented. Ongoing, the zoning code has a designation for private clubs with ocean or bay frontage.
Policy 2.1.1	By statutory deadline or sooner, enact and enforce zoning districts based on Multi-family Residential, Ocean Resort Hotel, Waterfront Recreation and Open Space Land Use Plan categories, and consistent with density limits in the FLUM.	Implemented. The Land Development Code is consistent with the Master Plan and the FLUM.
Policy 2.1.2	New water-dependent uses shall meet specified criteria incorporated in LDC by statutory deadline or sooner.	Implemented. Ongoing through the enforcement of the Land Development Code.
Objective 2.2	Beaches and Dunes: Achieve no new major development or redevelopment seaward of the Coastal Construction Control Line and restore and preserve a naturally vegetated dune along the entire Atlantic Ocean frontage of the Village.	Implemented: Ongoing.

Policy 2.2.1	The Village shall enforce as part of the land development code minimum oceanfront setback requirements including protection of the proposed dune system. The requirements shall specify that no additional buildings may be built seaward of the coastal construction control line and that only limited boardwalks, gazebos and similar structures may be built seaward of the coastal construction control line. The requirements shall apply to both development and redevelopment.	Implemented. Ongoing through the enforcement of the Land Development Code.
Policy 2.2.2	The Village shall enforce as part of the land development code dune development and vegetation planting requirements in conjunction with any new beachfront development and redevelopment. Dune grading and planting requirements shall be drafted to ensure the highest level of restoration of natural conditions which is economically and technically feasible. The requirements shall apply to both development and redevelopment.	Implemented. Ongoing through the enforcement of the Land Development Code.
Policy 2.2.3	The Village shall evaluate the need for and efficacy of alternate financing mechanisms to pay for for beach renourishment and dune development as a supplement to achieving beach renourishment and dune development via regulations of development and redevelopment.	Implemented. Ongoing. Beach renourishment is funded through the Village Capital Improvement Plan.
Objective 2.3	Beach Public Access: Maintain a municipal beach access point open to the general public, Village residents, and their guests.	Implemented: Ongoing.
Policy 2.3.1	The Village shall maintain an existing agreement with a private property owner to provide beach access open to the general public.	Implemented. The Village has an agreement on an easement with the Grand Bay Resort.
Objective 2.4	Historic Preservation: No later than 2015, prepare a list of potentially significant historic structures.	Not implemented. There is no local designation process, nor a list of historic properties because there are no structures on the Island older than 50 years and of significant historical merit.
Policy 2.4.1	Based upon historical accounts of early development in the Village, by 2015 the Village shall identify all properties eligible for designation on the National Register of Historic Places.	Not implemented. There are no historic structures older than 50 years and therefore none that meet the requirements of the National Register.
Objective 2.5	Biscayne Bay Preservation: Assist the County, FDEP and National Park Service (NPS) to preserve and enhance Biscayne Bay Aquatic Preserve.	Implemented. Ongoing through the enforcement of the Land Development Code and NPDES annual reporting.

Policy 2.5.1	Contribute to the improvement of Biscayne Bay through implementation of DMP, replacing septic tanks with sanitary sewers tied into the County system and/or upgrading of septic tank and drainfield standards, mandating on-site stormwater detention and marina siting standards according to Infrastructure Element and this Element.	Implemented. The Village is entirely serviced by sanitary sewer. All existing properties currently utilizing septic tanks and drainfields will be required to tie-in to the sewer system during this planning period. Not implemented.
Policy 2.5.2	Contribute to the improvement of Biscayne Bay water quality through cooperation and consultation with the Biscayne Bay Shoreline Development Review committee, FDEP and the NPS.	Not implemented.
Goal 3	To minimize human and property loss due to hurricanes.	
Objective 3.1	Coastal High-Hazard Area Land Use and Infrastructure: Limit Village funds on infrastructure within the coastal high-hazard area that would have the effect of directly subsidizing development which is significantly more intense than authorized by this plan. The Coastal High Hazard Area is defined as the area below the elevation of the Category 1 storm surge line as established by a Sea, Lake and Overland Surges from Hurricanes (SLOSH) computerized storm surge model. The Coastal High Hazard Area is identified on the Future Land Use Map series.	Implemented: Ongoing. Infrastructure is based on the maximum density of development permitted by the zoning code.
Policy 3.1.1	Limit funding of public infrastructure expansion if the effect is a direct subsidy to a specific private development in the Village.	Implemented: Ongoing. The Village does not subsidize private development; it pays for its own infrastructure needs.
Policy 3.1.2	Objective 3.1 and Policy 3.1.1 should not preclude plans to extend sewer lines, improve drainage facilities or reconfiguration of streets to provide adequate infrastructure to serve Future Land Use Plan development or prior vested development rights.	Implemented.
Objective 3.2	Hurricane Evacuation: Maintain an out-of-County 13 hour hurricane evacuation clearance time or an evacuation time of 12 hours to a shelter.	Implemented: Ongoing. Evacuation time is based on the maximum density of development permitted by the FLUM and the zoning code.
Policy 3.2.1	Maintain traffic LOS, based on FLUM, to achieve a reasonable hurricane evacuation time.	Implemented: Ongoing. Evacuation time is based on the maximum density of development permitted by the FLUM and the zoning code.
Policy 3.2.2	The Village shall update its hurricane emergency plan; the plan shall be consistent with the current Miami-Dade County Emergency Operations Plan and the most current hurricane evacuation study.	Implemented: Ongoing. It is recommended that updates be made based on experiences that resulted from Hurricane Irma in 2017.

Objective 3.3	Post-Disaster Redevelopment: Adopt a post-disaster redevelopment plan by 2015.	Implemented: Ongoing. It is recommended that updates be made based on experiences that resulted from Hurricane Irma in 2017.
Policy 3.3.1	By 2015, based upon staff review of post-disaster assessment, clean-up and housing repair experiences, the Village shall prepare a post-disaster redevelopment plan in consultation with the South Florida Regional Planning Council, Miami-Dade County and the appropriate federal agencies. Special attention shall be devoted to the Building Official's permitting process to distinguish between minor and major repairs, require demolition or nuisance removal, and similar regulatory approaches.	Implemented: Ongoing. It is recommended that updates be made based on experiences that resulted from Hurricane Irma in 2017.
Policy 3.3.2	The adopted plan will specify that during post-disaster redevelopment, the Building, Zoning and Planning Department will distinguish between those actions needed to protect public health and safety with immediate repair/clean-up and long term repair activities and redevelopment areas. Removal or relocation of damaged infrastructure and unsafe structures shall be by the Village in accordance with local procedures and those agencies and practices specified in the Miami-Dade County Emergency Operations Plan.	Implemented: Ongoing. It is recommended that updates be made based on experiences that resulted from Hurricane Irma in 2017.
Policy 3.3.3	During recovery periods, use post-disaster redevelopment plan to reduce or eliminate future exposure of life and property to hurricanes, incorporate recommendation of interagency hazard mitigation reports and recommend any amendments to MP.	Implemented: Ongoing. It is recommended that updates be made based on experiences that resulted from Hurricane Irma in 2017.
Policy 3.3.4	Unsafe conditions and inappropriate uses identified in recovery phase will be eliminated as opportunities arise.	Implemented: Ongoing. It is recommended that updates be made based on experiences that resulted from Hurricane Irma in 2017.
Objective 3.4	Level of Service and Public Facility Timing: Achieve LOS standards by concurrency and a capital improvement schedule.	Implemented: Ongoing. During the site plan review process, the Village reviews LOS and concurrency to ensure the project is consistent with them.
Policy 3.4.1	Implement concurrency management system with phased capital improvement schedule to achieve and maintain LOS standards concurrent with the impact of development.	Implemented: Ongoing.
Objective 3.5	Hurricane Damage Avoidance: Minimize damage from any hurricane storm surge. See Policies for measurability.	Implemented: Ongoing.
Policy 3.5.1	By statutory deadline or sooner, enact and enforce LDC provisions requiring minimum setbacks from the ocean and compliance with the CCCL regulations.	Implemented: Ongoing.

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Policy 3.5.2	Enforcement of new residential construction at or above flood elevation specified by FEMA, and new non-residential construction at or above flood elevation specified by FEMA or in accordance with FEMA approved waterproof construction specifications.	Implemented: Ongoing. In 2017 the Village updated the Flood Ordinance.
Policy 3.5.3	By statutory deadline or sooner, enact and enforce LDC provisions limiting the amount of fill added to a property in conjunction with development or redevelopment to minimize stormwater runoff.	Implemented: Ongoing. Onsite stormwater retention is mandated.
Policy 3.5.4	Monitor changes to and recommend County Emergency Operations Plan (EOP) hazard mitigation reports as basis for amending MP and LDC as appropriate.	Not implemented. Zoning in the LDC reflects the MP.
Policy 3.5.5	Reduce permitted population densities according to FLUM to coordinate with 1991 MDC EOP (local) and lower Southeast Florida Hurricane Evacuation Plan (regional).	Not implemented. The Village is maintaining levels, but not reducing them.
Policy 3.5.6	Limit funding of public infrastructure expansion if the effect is a direct subsidy to a specific private development in the Village.	Implemented: The Village does not subsidize private development.
Objective 3.6	Energy Conservation and Greenhouse Gas Reduction: The Village shall encourage methods for integration of energy conservation technologies in new construction and redevelopment and in Village municipal programs and services.	In progress. Village municipal and maintenance programs encourage energy conservation.
Policy 3.6.1	The Village shall encourage energy-efficient construction methods and develop initiatives to encourage energy conservation techniques in municipal and private-sector development.	In progress. Village municipal and maintenance programs encourage energy conservation.
Policy 3.6.2	The Village shall develop standards and principals to provide for the improvement of energy efficiency in municipal services and programs	In progress. Village municipal and maintenance programs encourage energy conservation.
Policy 3.6.3	The Village shall, to the extent financially feasible, provide educational materials and promote recycling to enhance the efficiency of curbside pick-up, reduce the materials being sent to landfills, and ultimately reduce methane production.	In progress. Village municipal solid waste pick-up includes recycling. It is a recommendation of this plan to encourage education on waste diversion.
Policy 3.6.4	The Village shall amend the land development regulations to adopt specific standards and strategies that address greenhouse gas emissions, energy efficient housing, and overall energy conservation by 2015.	In progress. Village municipal and maintenance programs encourage energy conservation.
Policy 3.6.5	As the replacement of municipal vehicles is scheduled, the Village shall consider the availability of replacement with low emission or fuel efficient vehicles.	In progress. Village municipal and maintenance programs encourage energy conservation.
Policy 3.6.6	The Village shall, through the current site plan review procedures, encourage the diversion from landfills of materials that are recyclable when issuing construction demolition permits.	In progress. Village municipal and maintenance programs encourage energy conservation.

Recreation and Open Space Element

RECREATION AND OPEN SPACE ELEMENT RECOMMENDED AMENDMENTS

The following is a list of outdated Objectives and Policies that should be revised to address current local conditions that are of importance to the Village and the region.

Objective 1.1 – Waterfront Access

- Policy 1.1.1 redundancy (exactly the same as Objective 2.3 and Policy 2.3.1)
- Policy 1.3.1 Revise the following outdated language: Adjust and update LOS data table as needed
- Policy 1.3.2 Consider revision to realign to come before 1.3.1; or consider merging policies
- Policy 1.3.4 Revise the outdated language and include the need for a new Parks Master Plan to be prepared during this planning period.

Policy 1.3.5 Revise the following outdated language: "No later than Dec 31, 2015, explore a recreation impact fee". Consider deleting, the impact fee was not established during the last planning period.

RECOMMENDED NEW OBJECTIVES AND POLICIES

- Recreation impact fee, should be deleted if no longer a desire of the Village
- Revise inventory policy to specify a GIS based inventory be created
- Add a new policy to prepare a new Parks Master Plan during this planning period

COMPREHENSIVE REVIEW OF THE RECREATION AND OPEN SPACE ELEMENT

Goals, Objectives & Policies	Element	Implementation
	RECREATION AND OPEN SPACE	
Goal 1	Provide a desirable level of public recreation and open space facilities together with supplemental private recreation and open space facilities.	
Objective 1.1	Waterfront Access: Continue to provide for a municipal ocean beach access point within the Village.	Implemented: Ongoing. The Village maintains the Beach Park and offers FAR incentives for beach access easements.
Policy 1.1.1	The Village shall continue to maintain the Beach Park as the principal municipal ocean beach access point within the Village.	Implemented: <i>Ongoing.</i> The Village maintains the Beach Park.
Objective 1.2	School Playfield Access: Assure resident access to the elementary school playfield.	Implemented.
Policy 1.2.1	The Village shall maintain a joint use agreement with School Board to assure resident access to the school's playfields.	Implemented.
Objective 1.3	Public Recreation Facilities: Achieve park and recreation lands (with facilities) of at least 2.5 acres per 1,000 people permanent population.	In progress.

Policy 1.3.1	The Village shall actively seek to acquire through purchase, long term lease and/or donation, sufficient additional acreage to meet the standard of 2.5 acres per 1,000 people permanent population. The standard of 2.5 acres per 1,000 permanent residential shall be used for concurrency purposes.		In progress. Although the Village still does not meet the standard of 2.5 acres per 1,000 persons, it has added parks and recreation space to its roster, recently acquiring a residential lot to be used as a neighborhood pocket park.	
Policy 1.3.2	The Village shall achieve and mast standard of at least 2.5 acres of 1,000 permanent population.			In progress.
Policy 1.3.3	Continue to pursue acquisition park land to meet LOS stand Improvement Schedule.			
Policy 1.3.4	As acquisition of park tracts is assured, the Village shall finalize detailed planning for facilities such as ball fields and playgrounds. A phased implementation plan shall be initiated.		In progress. The Village has acquired and improved land and build several new facilities over the past planning period, it is recommended that a new Parks Master Plan be prepared in this planning period.	
Policy 1.3.5	No later than December 31, 2015, the Village shall explore a recreation impact fee to help finance acquisitions and improvements.		Not implemented. No impact fee is in place at this time.	
	The following properties shall be of Parks and Recreation Space:	included in	the inventory	Not implemented. No system currently exists to
	Parks and Recreation Space	Acreage		automatically update the inventory of properties. It
	Calusa Park	3.00		is recommended that the
	Village Green	9.50		Village institute a GIS based inventory tracking program
	Key Biscayne K-8 Center	2.02		in this planning period.
	East Enid Lake Park	2.78		
	Beach Park	2.00		
D. II. 4.2.6	St. Agnes Field	2.13		
Policy 1.3.6	Community Center	1.95		
	Library Park	1.17		
	Hacienda Canal Pocket Park	0.03		
	530 Crandon Blvd Total	0.52 25.10		
	This inventory of properties updated to include any addi open space properties acquire term lease. The public beach any calculation in order to mee Recreational Open Space Level of	shall be tional recred or utilize shall not be t the Village	reational and ed via a long e included in ge's Parks and	

Objective 1.4	Open Space: Achieve semi-passive public open space in the central part of Village, public open space on the waterfront plus private open space in conjunction with any new private development.	Implemented. The Village has built the Village Green and Beach Park. If development generates a demand on open space and public recreation facilities, it is required to submit open space as part of its plan.
Policy 1.4.1	The Village shall maintain as part of LDC minimum front, side and rear setbacks and minimum pervious open space for all new construction. Definitions and standards will be included. The amount of open space required by these regulations shall be consistent with the high property values of the island and the need to ensure reasonably satisfactory levels of access to light and air, but pervious area shall not be less than 30 percent of total site area for the average single family residential site.	Implemented. Ongoing through enforcement of the Land Development Code.
Policy 1.4.2	The Village shall maintain a LDC zoning district to implement Waterfront Recreation and Open Space land use category and thereby preserve such open space uses such as the beach club and yacht club. The amount of open space required by these regulations shall be consistent with the high property values of the island and the need to ensure reasonably satisfactory levels of access to light and air, but pervious area shall not be less than 15 percent of total site.	Implemented. Ongoing through enforcement of the Land Development Code
Policy 1.4.3	The Village shall maintain a village center in order to provide for central public open space.	Implemented. Key Biscayne developed a Village center and is continuing to maintain it.
Objective 1.5	Public-Private Coordination: Explore and implement a fully coordinated system of recreation resources.	In progress. It is recommended that a new Parks Master Plan be prepared in this planning period.
Policy 1.5.1	The Village Manager or designee shall maintain an inventory of all private and semi-public recreational facilities.	Not implemented. No system currently exists to inventory private and semi-public facilities. It is recommended that the Village institute a GIS based inventory tracking program in this planning period.



Intergovernmental Coordination Element

INTERGOVERNMENTAL COORDINATION ELEMENT RECOMMENDED AMENDMENTS

The following is a list of outdated Objectives and Policies that should be revised to address current local conditions that are of importance to the Village and the region.

Objective 1.1 Coordination with the County Plan and School Board - Revise the outdated language in Description paragraph – no mention of Miami 21 and other county plans that need to be included.

Policy 1.1.6 Revise the following outdated language: Says to establish LOS standard for public school facilities, but does not set them, revise to be consistent with the Public School Element of this plan.

Policy 1.2.1 Revise the following outdated language: "by 2015"

- Review leases and agreements and revise as needed:
 - Virginia Key Sites for Recreation and the Causeway
 - MAST Academy for Recreation
 - Key Biscayne Presbyterian Church for Recreation
 - Management Agreement for Calusa Park
 - Key Biscayne K-8 Center (for playground)
 - Other areas

Policy 1.2.4 Revise the following outdated language: "Replacement of septic tanks with sanitary sewers tied into County system."

Policy 1.2.6 Revise the following outdated language: "Work with Miami-Dade County and City of Miami to create a program for annual evaluation of affordable housing" and "Affordable Housing fee trust fund partnership with MDC or City of Miami"

Policy 1.3.2 Revise the following outdated language: "Tracking system that measures increase in population resulting from development"

Policy 1.3.6 Revise the following outdated language: "Coordinate with Lower East Coast Water Supply Plan Update"

RECOMMENDED NEW OBJECTIVES AND POLICIES

- Create policies to support participation in regional coordination efforts to combat current issues such as sea level rise, resiliency, climate change, waste management reduction and recycling, additional traffic safety and multi-modal options. Include a policy in support of the Southeast Florida Regional Climate Change Compact.
- Include a policy in support of continuing the new financing programs for solar and energy efficient retrofits including the PACE and the Co-op programs.
- Consider a policy in support of intergovernmental coordination in regards to the Village owning riparian rights in the Bay, possibly for the purpose of Village owned buoys.
- Create a policy to support coordination with other governing agencies on a plan for a breakwater to protect the beach and protect against the environmental degradation (gas and oil leaks) that can result from boats sinking or running aground during a hurricane event.
- Include a policy on continue diplomacy, including through participation in regional organizations such as the Miami-Dade League of Cities, the South Florida Regional Planning Council and other opportunities (i.e. "Dade Days" in Tallahassee)
- Include a policy to initiate intergovernmental coordination with all transportation planning authorities to address the integrity and future funding for improvements to the Bear Cut Bridge and the Rickenbacker Causeway.

- Include a policy to initiate intergovernmental coordination with the Miami-Dade County School Board to address the possibility of utilizing the "Old Frost Museum" as a future new High School to accommodate students from Key Biscayne and the Brickell and Roads neighborhoods.
- Include a policy to continue coordination with the Miami-Dade County School Board on the future of the Key Biscayne K-8 Education Center, which could include a new performing arts center and a modern library.
- Include a policy to continue coordination with the County, the City of Miami Beach and City of Miami as appropriate for maintenance of traffic during programmed events (The Boat Show and future events for the Miami Marine Stadium) and future uses on Virginia Key that will impact traffic on the Rickenbacker causeway.
- Revisit Level of Service standards to ensure consistency with other elements of the plan. Revise to include a statement that the Village is supportive of concurrency management as a community value o Only sewage and potable water

COMPREHENSIVE REVIEW OF THE INTERGOVERNMENTAL COORDINATION ELEMENT

Goals, Objectives & Policies	Element	Implementation
	INTERGOVERNMENTAL COORDINATION	
Goal 1	To maintain and establish processes to assure coordination with other governmental entities where necessary to implement this plan.	
Objective 1.1	Coordination with the County Plan and School Board: Achieve consistency between the Village Plan and both MDC Comprehensive Development Master Plan and City of Miami Comprehensive Plan; achieve coordination with the plans of the Miami-Dade County School Board. See policies throughout this element for measurability.	In progress.
Policy 1.1.1	The Village shall continue to monitor the MDC Comprehensive Development Master Plan amendment process as County Plan is updated.	Implemented: Ongoing. Where the County makes decisions that affect the Village, such as on Virginia Key, in Crandon Park or at the Seaquarium, the Village monitors its actions.
Policy 1.1.2	The Village shall maintain an active dialogue with School Board staff concerning any plans for schools within the Village.	Implemented: Ongoing. The Village may desire to expand the dialogue to include schools outside of the Village, considering the fact that students attend schools at MAST Academy and at Coral Gables High.
Policy 1.1.3	Use informal mediation process of SFRPC to resolve annexation and other conflicts with other governmental entities.	Obsolete. The Village has not attempted to annex any land nor does it foresee doing so.
Policy 1.1.4	Review and compare proposed development in City of Miami and MDC with proposed development of Village Comprehensive Plan; and, where appropriate, respond at public hearings, through memoranda, or through the SFRPC mediation process.	Implemented: Ongoing.

Objective 1.2	Master Plan Impact and Implementation Coordination: Coordinate developmental impact of MP with other jurisdictions. No later than 2015 the Village shall continue to consider or	Implemented: Ongoing. Where other jurisdictions make decisions that affect the Village, such as on Virginia Key, in Crandon Park or at the Seaquarium, the Village monitors their actions.
Policy 1.2.1	implement the following types of interlocal agreements or leases generally of the type described below:	
	Lease of MAST Academy Site for Recreation: A lease agreement by which the Village would commit to develop and maintain recreation facilities on a portion of the MAST Academy site.	Implemented. Ongoing, funding is budgeted through the annual Capital Improvement Plan.
	Lease of the Key Biscayne Presbyterian Church for Recreation: A lease agreement by which the Village would commit to develop and maintain recreation facilities on a portion of the Key Biscayne Presbyterian Church site.	Implemented: Ongoing.
	Lease of Virginia Key Site(s) for Recreation and the Causeway: A lease agreement by which the Village would commit to develop and maintain recreation facilities at one or more sites on Virginia Key and/or the Causeway.	Implemented. The Village is a member of the Virginia Key Master Plan Committee, which is guiding the development of Virginia Key.
	Management Agreement for Calusa Park: The Village shall encourage Miami-Dade County to make improvements to Calusa Park consistent with the Crandon Park Master Plan. The Village shall pursue an agreement with the Miami-Dade County Park and Recreation Department to provide for Village management of Calusa Park.	Not implemented. Although the Village still does not meet the standard of 2.5 acres per 1,000 persons, it has added parks and recreation space to its roster.
	Key Biscayne K-8 Center: An agreement to cooperate and coordinate with the Miami-Dade County School Board to make the K-8 Center playground available for community use.	Implemented. The Village maintains the property in exchange for its use during certain hours.
	Other areas within or proximate to the Village: An agreement or lease with other areas within the Village, as necessary.	In progress.
Policy 1.2.2	Maintain dialogue with Metro-Dade Planning Dept. and other County agencies relative to limiting land use intensity.	Implemented: Ongoing. Where the County makes decisions that affect the Village, such as on Virginia Key, in Crandon Park or at the Seaquarium, the Village monitors their actions.
Policy 1.2.3	Assist in providing information regarding services such as waste, water, sewers, transit and hurricane response to residents.	
Policy 1.2.4	Improve Biscayne Bay water quality by the following:	Implemented: Ongoing.
	Implementation of Master Drainage Plan.	Implemented: Ongoing.

	Replacement of septic tanks with sanitary sewers tied	Implemented. The entire
	into County system.	Village is serviced by a sanitary sewer system.
	Mandating on-site stormwater detention.	Implemented. Ordinances specify the retention of stormwater on-site.
	Marina siting standards.	Implemented.
Policy 1.2.5	Improve Biscayne Bay water quality by coordination with BBSDRC, FDEP and	Implemented: Ongoing.
Policy 1.2.6	The Village shall coordinate with Miami-Dade County and the City of Miami to create a program for annual evaluation of affordable housing needs within incorporated and unincorporated areas of the County.	In progress.
Policy 1.2.7	The Village shall participate in the South Florida Regional Planning Council's initiatives directed toward educating local governments of new techniques, especially programs applicable to the region and county, for promoting affordable housing.	In progress.
Policy 1.2.8	The Village shall evaluate the feasibility of establishing an affordable housing fee trust fund in partnership with Miami-Dade County or the City of Miami via interlocal agreements, to fund affordable housing programs and projects in Miami-Dade County and/or the City of Miami.	In progress.
Objective 1.3	NPS Level of Service Standards Coordination: Ensure coordination with Miami-Dade County Sewer and Water Department, Miami-Dade County, the South Florida Water Management District, and the Lower East Coast Water Supply Plan Update in establishing LOS standards for sewage and potable water.	Implemented. The adopted LOS is maintained, however, it is a recommended of this plan that the Village update the LOS for Potable Water to be consistent with the Lower East Coast Water Facilities Supply Plan.
Policy 1.3.1	Monitor changes to LOS standards of Miami-Dade County, the South Florida Water Management District, and the Lower East Coast Water Supply Plan Update and adjust own LOS standards accordingly.	Implemented. The adopted LOS is maintained, however, it is a recommended of this plan that the Village update the LOS for Potable Water to be consistent with the Lower East Coast Water Facilities Supply Plan.
Policy 1.3.2	The Village shall implement a tracking system that measures increases in population resulting from development and redevelopment, and provide results to the Miami-Dade County Water and Sewer Department on a regular basis.	Obsolete. The WASD maintains water usage records.
Policy 1.3.3	The Village shall provide for improved or additional coordination between the Miami-Dade County Water and Sewer Department and the Village concerning the sharing and updating of information to meet ongoing water supply needs.	In progress. The adopted LOS is maintained, however, it is a recommendation of this plan that the Village update the LOS for Potable Water to be consistent with the Lower East Coast Water Facilities Supply Plan.

Policy 1.3.4	The Village shall coordinate with the Miami-Dade County Water and Sewer Department in the implementation of alternative water supply projects, establishment of level-of-service standards, resource allocations, changes in service areas and potential for annexation.	In progress. The adopted LOS is maintained, however, it is a recommendation of this plan that the Village update the LOS for Potable Water to be consistent with the Lower East Coast Water Facilities Supply Plan.
Policy 1.3.5	The Village shall coordinate with the Miami-Dade County Water and Sewer Department by requiring applications to be reviewed by the Department during the site plan review process prior to approving a building permit, in order to determine whether adequate water supplies will be available to serve the development by the anticipated issuance date of the certificate of occupancy for properties located within the Village. Additional coordination efforts will occur between the Department and the Village through the water allocation system, which is a monthly spreadsheet used for tracking development activity within the Village. The Village will monitor proposed amendments to the Miami-Dade County Comprehensive Development Master Plan as they relate to water supply planning in the county and provide input as necessary.	In progress. The adopted LOS is maintained, however, it is a recommendation of this plan that the Village update the LOS for Potable Water to be consistent with the Lower East Coast Water Facilities Supply Plan.
Policy 1.3.6	The Village shall coordinate with the Lower East Coast Water Supply Plan Update.	In progress. The adopted LOS is maintained, however, it is a recommendation of this plan that the Village update the LOS for Potable Water to be consistent with the Lower East Coast Water Facilities Supply Plan.

Capital Improvement Element



CAPITAL IMPROVEMENT ELEMENT RECOMMENDED AMENDMENTS

The following is a list of outdated Objectives and Policies that should be revised to address current local conditions that are of importance to the Village and the region.

Policy 1.1.2 Revise and update outdated language: "CIP shall include a drainage facility improvement/ replacement program based upon the 1993 drainage master plan"

Policy 1.2.1 Revise and update outdated language: "Potable Water: Not to exceed 98% of County treatment and storage system's rated capacity, with at least 20lbs per sq. inch at property line and average 155 gallons per capita per day"

Policy 1.2.2 Revise and update outdated language: "shall implement a tracking system that measures increases in population resulting from development and redevelopment and provide results to the MDC WASD on a regular basis"

Objective 1.4 Revise and update outdated language: "concurrency management system to be included in the land development code"

Policy 1.4.1 Revise and update outdated language: "annual report monitoring report"

Policy 1.4.4 Revise and update outdated language: "shall establish criteria to prioritize and update projects within the 5 year CIP"

Policy 1.5.1 Revise and update outdated language: "development orders" are no longer in effect

Policy 1.5.2 Revise and update outdated language: "No later than Dec 31, 2015 the village shall explore a recreation impact fee"

Policy 1.5.6 Revise and update outdated language: "2011/12 through 2015/16 Miami-Dade County Public Schools Facilities Work Program"

Implementation Systems: Revise and update outdated language:

- 1. "capital programming and budgeting process beginning no later than July 1995"
- 2. "completion of a master drainage plan and final approval of a drainage utility funding mechanism"
- 3. "preliminary financial and engineering feasibility exploration of extending sewers to the unsewered areas"
- 4. "Amendments to Land Development code to assure conformance to the concurrency requirements"
- 5. "Explore park impact fees"
- 6. "evaluate the need for financing mechanism to pay for beach renourishment and dune development"
- 7. Recommended New Objectives and Policies

RECOMMENDED NEW OBJECTIVES AND POLICIES

- Add new policy to adopt an annual update to the Capital Improvement Element to include new "5th Year" projects and any other revisions based on the annual update of the 5-year Capital Improvement Plan.
- Add a new policy updating criteria to prioritize projects to reflect issues that are currently of importance to the Village.
- Adopt the most current Capital Improvement Plan 2018 2022.
- Comprehensive Review of the Capital Improvement Element



COMPREHENSIVE REVIEW OF THE CAPITAL IMPROVEMENT ELEMENT

Goals, Objectives &	Element Element	Implementation
Policies	CAPITAL IMPROVEMENT	
Goal 1	To undertake capital improvements necessary to provide adequate infrastructure and a high quality of life, within sound fiscal practices.	
Objective 1.1	The Annual Capital Improvement Program Process: The Village shall utilize this Element as the framework to monitor public facility needs as a basis for the annual capital budget and preparation of a 5-year capital improvements program.	Implemented: Ongoing. The Village does this as part of the budget process.
Policy 1.1.1	Staff and engineering studies to form basis for preparation of a 5-year capital improvement program, with one year capital budget, in order to further MP elements.	Implemented. The Village does a one year Capital Improvement Budget and a fiscal budget for five years.
Policy 1.1.2	Capital improvement program to include drainage facility program based on 1993 DMP.	Implemented. It is recommended that the most recent Stormwater Improvement Implementation Plan (2016 prepared by EAC) be referenced in this policy.
Policy 1.1.3	Public safety, quality of life, LOS, redevelopment and Biscayne Bay enhancement projects will be used as criteria for setting priorities that include financial feasibility or budget impact assessments.	Implemented. It is recommended that the priorities by revised to reflect the issues that are relevant for the Village in this planning period.
Policy 1.1.4	The Village shall use designated funding mechanisms such as the drainage utility and sewer assessments to the maximum extent feasible in order to prioritize the application of general funds (and general obligation bonds) for such Village-wide projects as park land acquisition and streetscape work as outlined in the policies of other Master Plan elements.	
Policy 1.1.5	Pursue a prudent policy in terms of borrowing for capital improvements or other purposes.	Implemented: Ongoing.
Objective 1.2	Level of Service and Land Use Decisions: Use FLUP, financial analyses in this Element and LOS standards to review development applications and to prepare annual schedule of capital improvements.	Implemented. All development is consistent with adopted LOS standards.
Policy 1.2.1	The following peak hour LOS standards shall be maintained.	
	Streets: Regulate the timing of development to maintain peak hour LOS standards (Arterial: LOS "D", Collectors: LOS "B", Local Service Streets: LOS "A"). LOS along Crandon Boulevard shall operate at level of service "D" or better and maintain operations at no less than level of service D near north Village limits.	Implemented. All development is consistent with adopted LOS standards.

	Sanitary Sewers in Sewered Areas: Not to exceed 98% of County treatment system's rated capacity. Average sewage generation standard of 140 gallons per capita per day.	Implemented. All development is consistent with adopted LOS standards.
	Sanitary Sewers in Unsewered Areas: Permit septic tanks only in compliance with county and state standards.	Obsolete. The Village has provided sanitary sewer to all non-sewered areas.
	Potable Water: Not to exceed 98% of County treatment and storage system's rated capacity, with at least 20 lbs. per sq. inch at property line and average 155 gallons per capita per day.	Implemented. The adopted LOS is maintained, however, it is a recommended of this plan that the Village update the LOS for Potable Water to be consistent with the Lower East Coast Water Facilities Supply Plan.
	Drainage: Nonresidential development and redevelopment accommodate runoff to meet Federal, state and local requirements.	Implemented. All development is consistent with adopted LOS standards.
	Solid Waste: County system maintains a minimum of 5 years capacity; Village use generation rate of 5.2 lbs. per person per day.	Implemented. All development is consistent with adopted LOS standards.
	Recreation: Maintain a LOS standard of at least 2.5 acres of park land per 1,000 persons permanent population.	In progress. Prior to and since incorporation, the Village has been below a LOS standard of 2.5 acres of parks and recreation space per 1000 persons. However, the Village is in an ongoing pursuit to achieve this goal.
Policy 1.2.2	The Village shall implement a tracking system that measures increases in population resulting from development and redevelopment and provide results to the Miami-Dade County Water and Sewer Department on a regular basis.	
Policy 1.2.3	The Village shall develop mechanisms to ensure that adequate water supplies are available to all water users prior to the approval of a building permit. Furthermore, the Village shall monitor the Miami-Dade County Water and Sewer Department to be sure that it is responsibly monitoring the availability of water supplies for all water users of its department, which includes the Village of Key Biscayne, and to be sure that it is implementing a system that links water supplies to the permitting of new development.	Implemented. Ongoing through concurrency management.
Objective 1.3	Infrastructure in Coastal High Hazard Area: The Village shall not expend funds on infrastructure within the coastal high-hazard area that would have the effect of directly subsidizing development which is significantly more intensive than authorized by the Plan.	Implemented: Ongoing. The Village does not subsidize private development; it pays for its own infrastructure needs.
Policy 1.3.1	Capital improvement program schedule shall not include projects that would achieve significantly more intensive development than authorized by this plan by directly causing developer applications for Land Use Plan or zoning map amendments .	

Objective 1.4	Concurrency: Assure provision of public facilities concurrent with the impacts of development through a concurrency management system to be included in the land development code.	Implemented. All development is consistent with adopted LOS standards.
Policy 1.4.1	The Village shall enforce the concurrency management system provided within Article VI of Chapter 30 of the Code of Ordinances. The concurrency management system shall specify that no development permit shall be issued unless the public facilities necessitated by a development (in order to meet level of service standards specified in the Transportation, Recreation and Open Space, and Infrastructure policies) will be in place concurrent with the impacts of the development or the permit is conditional to assure that they will be in place. The requirement that no development permit shall be issued unless public facilities necessitated by the project are in place concurrent with the impacts of development shall be effective immediately and shall be interpreted pursuant to the following:	Implemented. All development is consistent with adopted LOS standards.
	1. Measure conformance with LOS standards for water, solid waste and drainage, recreation facilities, and transportation.	Implemented. All development is consistent with adopted LOS standards.
	2. Concurrency Monitoring System	Implemented: Ongoing. The Land Development Code requires a review of concurrency during every building permit application review.
	3. Capacity Reservation	Implemented: Ongoing.
	4. Administration	Implemented: Ongoing.
	5. Project Impact or Demand Measurement	Implemented: Ongoing.
Policy 1.4.2	The Village shall adopt and maintain a five-year Capital Improvements Plan.	Implemented: Ongoing.
Policy 1.4.3	The Village shall seek to ensure that the Capital Improvements Element (CIE)of the Comprehensive Plan is financially feasible.	Implemented: Ongoing.
Policy 1.4.4	The Village shall establish criteria to prioritize and update projects within the five-year Capital Improvements Plan to achieve and maintain adopted level-of-service standards.	it is recommended that
Objective 1.5	Funding Capital Improvements: The LDC concurrency management system shall reflect both the existing and approved Development of Regional Impact (DRI) development orders; this system shall operate in concert with the capital improvement program, recreation impact fee and drainage utility to assure the funding and provision of needed capital improvements. See policies for measurability.	Implemented.

Policy 1.5.1	The concurrency management system formulas shall include the public facility demands created by the two DRI projects as "committed" and capital improvement schedule shall include the project implications of this committed demand to assure concurrency, so long as either of these development orders is in effect.	Implemented.
Policy 1.5.2	No later than December 31, 2015, the Village shall explore a recreational impact fee that would apply to all new development to help fund acquisitions and improvements.	Not implemented.
Policy 1.5.3	The Village shall not approve any new construction, redevelopment or renovation project which creates a need for expanded capital improvement unless the project pays a proportionate share of the costs of these improvements following legally prescribed criteria for such fees.	Implemented.



Public Schools and Facilities Element

PUBLIC SCHOOLS AND FACILITIES ELEMENT RECOMMENDED AMENDMENTS

The following is a list of outdated Objectives and Policies that should be revised to address current local conditions that are of importance to the Village and the region.

Objective 1.1 Revise the following outdated language: "countywide enrollment will meet state requirements for class size by Sept 2010"

Policy 1.1.6 Revise the following outdated language: "staff working group review annually the educational element and school enrollment projections"

Policy 1.2.3 Revise the following outdated language: "it is the goal of the village and MDC public schools for all public school facilities to achieve 100% utilization of permanent FISH (No Relocatable Classrooms) by January 1, 2018.....By Dec 2010, MDC in cooperation with MDC public schools will assess the viability of modifying the adopted LOS standard to 100% utilization of permanent FISH for all CSAs"

Policy 1.2.6 Revise the following outdated language and reference the most current Work Program: "2011/12 through 2015/16 Miami-Dade County Public Schools Facilities Work Program is incorporated by reference"

Objective 1.5 Revise the following outdated language: "the school board, the village and other appropriate jurisdictions shall establish and implement mechanisms for on-going coordination and communication to ensure the adequate provision of public education facilities"

Policy 1.5.5 Revise the following outdated language: "village shall work with the county and the school district to periodically review the Educational Facilities Impact Fee Ordinance"

Policy 1.5.7 Revise the following outdated language: "The criteria should be prepared prior to the next full review of the School Impact Fee Ordinance"

RECOMMENDED NEW OBJECTIVES AND POLICIES

- Include a policy to initiate intergovernmental coordination with the Miami-Dade County School Board to address the possibility of utilizing the "Old Frost Museum" as a future new High School to accommodate students from Key Biscayne and the Brickell and Roads neighborhoods.
- Include a policy to continue coordination with the Miami-Dade County School Board on the future of the Key Biscayne K-8 Education Center, which could include a new performing arts center and a modern library.
- Consider adding more robust policies in support of school safety, security and monitoring.

COMPREHENSIVE REVIEW OF THE PUBLIC SCHOOLS AND FACILITIES ELEMENT

Goals, Objectives & Policies	Element FAOULTIES	Implementation
	PUBLIC SCHOOL FACILITIES	
Goal 1	Develop, operate, and maintain a system of public education by Miami-Dade County Public Schools, in cooperation with the County and other appropriate governmental agencies, which will strive to improve the quality and quantity of public educational facilities available to the citizenry of the Village and other local governments within the County.	

Objective 1.1	Work towards the reduction of the overcrowding which currently exists in the Miami-Dade County Public Schools, while striving to attain an optimum level of service pursuant to Objective 1.2. Provide additional solutions to overcrowding so that countywide enrollment in Miami-Dade County's public schools will meet state requirements for class size by September 1, 2010.	In progress. The Village coordinates with MDCPS on LOS.
Policy 1.1.1	Cooperate with the Miami-Dade County Public Schools in their efforts to continue to provide new student stations through the Capital Overlay program, in so far as funding is available.	In progress. The Village coordinates with MDCPS on student stations.
Policy 1.1.2	Collect impact fees from new development for transfer to the Miami-Dade County Public Schools to offset the impacts of these additional students on the capital facilities of the school system.	In progress. The Village coordinates with MDCPS on concurrency and impact fees during the development review process.
Policy 1.1.3	Cooperate with the Miami-Dade County Public Schools in their efforts to develop and implement alternative education facilities, such as primary learning centers, which can be constructed on small parcels of land and relieve overcrowding at elementary schools, in so far as funding and rules permit.	Not Implemented. No alternative educational facilities were developed during this planning period.
Policy 1.1.4	Cooperate with the Miami-Dade County Public Schools in their efforts to provide public school facilities to the students of the Village, which operate at optimum capacity, in so far as funding available. Operational alternatives may be developed and implemented, where appropriate, which mitigates the impacts of overcrowding while maintaining the instructional integrity of the educational programs.	In progress. The Village coordinates with MDCPS on LOS.
Policy 1.1.5	Cooperate with the Miami-Dade County Public Schools in their efforts to maintain and/or improve the established level of service (LOS), for Public Educational Facilities, as established for the purposes of school concurrency.	In progress. The Village coordinates with MDCPS on LOS.
Policy 1.1.6	The village will through the Staff Working Group of the Interlocal Agreement for Public School Facility coordinate with the Miami-Dade County Public Schools, and applicable municipalities to review annually the Educational Element and school enrollment projections.	Implemented: Ongoing.
Objective 1.2	The Village shall coordinate new residential development with the future availability of public school facilities consistent with the adopted level of service standards for public school concurrency, to ensure the inclusion of those projects necessary to address existing deficiencies in the 5-year schedule of capital improvements, and meet future needs based upon achieving and maintaining the adopted level of service standards throughout the planning period.	Implemented: Ongoing.

Policy 1.2.1	Public school concurrency shall be applied on a less than district-wide basis in the form of concurrency service areas, except for Magnet Schools where public school concurrency shall be applied on a district wide basis. Level of Service standards for public school facilities apply to those traditional educational facilities, owned and operated by Miami-Dade County Public Schools, that are required to serve the residential development within their established concurrency area. Level of Service standards do no apply to charter schools. However, the actual enrollment (October Full Time Equivalent FTE) of both magnet and charter schools as a percentage of the total district enrollment will be credited against the impact of development.	Implemented: Ongoing.
Policy 1.2.2	The adopted Level of Service (LOS) Standard for all Miami-Dade County Public School facilities is 100% FISH Capacity (With Relocatable Classrooms). This LOS Standard, except for Magnet Schools, shall be applicable in each public school concurrency service area (CSA), defined as the public school attendance boundary established by the Miami-Dade County Public Schools. The adopted LOS standard for Magnet Schools is 100% FISH (With Relocatable Classrooms) which shall be calculated on a district-wide basis.	Implemented: Ongoing.
Policy 1.2.3	It is the goal of the Village and Miami-Dade County Public Schools for all public school facilities to achieve 100% utilization of Permanent FISH (No Relocatable Classrooms) by January 1, 2018. To help achieve the desired 100% of permanent FISH utilization by 2018, Miami-Dade County Public Schools should continue to decrease the number of relocatable classrooms over time. Public school facilities that achieve 100% utilization of Permanent FISH capacity (No relocatable Classrooms) should, to the extent possible, no longer utilize relocatable classrooms, except as an operational solution. Relocatable classrooms may be used by the Miami-Dade County Public School System as an operational solution during replacement, renovation, remodeling or expansion of a public school facility; and in the event of a disaster or emergency which prevents the School Board from using a portion of the affected school facility. By December 2010, Miami-Dade County in cooperation with the Miami-Dade County Public School will assess the viability of modifying the adopted LOS standard to 100% utilization of Permanent FISH (No Relocatable Classrooms) for all CSAs. In the event the adopted LOS standard of the Miami-Dade County Public Schools established CSA cannot be met as a result of a proposed development's impact, the development may proceed provided at least on of the following conditions is met:	Implemented: Ongoing.

		·
	1. The development's impact can be shifted to one or more contiguous CSAs that have available capacity and is located, either in whole or in part, within the same Geographic Area as the proposed development; or 2. The development's impact is mitigated, proportionate to the demand for public schools it created, through a combination of one or more appropriate proportionate share mitigations options, as defined in Section 163.3180(13)e1, Florida Statutes. The intent of these options is to provide for the mitigation of residential development impacts on public school facilities, guaranteed by a legal binding agreement, through mechanisms that include, one or more of the following:	
Policy 1.2.3 (continued)	a. Contribution of land; b. The construction, expansion or payment for land acquisition or construction of a permanent public school facility; or	
	c. The creation of a mitigation bank based on the construction of a permanent public school facility in exchange for the right to sell capacity credits. The legally binding proportionate share mitigation agreement is subject to the approval of Miami-Dade County Public School Board and the Village and must be identified in the Miami-Dade County Public School Facilities Work Program.	
	3. The development's impacts are phased to occur when sufficient capacity will be available.	
	If none of the conditions are met, the development shall not be approved.	
Policy 1.2.4	Concurrency Service Area (CSA) shall be delineated to: (1) Maximize capacity utilization of the facility; (2) Limit maximum travel times and reduce transportation costs; (3) Acknowledge the effect of court-approved desegregation plans; (4) Achieve socio-economic, racial, cultural and diversity objectives; and (5) Achieve other relevant objectives as determined by the School Board's policy on maximization of capacity. Periodic adjustments to the boundary or area of a CSA may be made by the School Board to achieve the above stated factors. Other potential amendments to the CSA's shall be considered annually at the Staff Working Group meeting to take place each year no later than April 30 or October 31, consistent with Section 9 of the Interlocal Agreement for Public School Facility Planning	Implemented: Ongoing.

Policy 1.2.5	The Village through the implementation of the concurrency management system and Miami-Dade County Public School Facility Work Program for educational facilities, shall ensure that existing deficiencies are addressed and the capacity of schools is sufficient to support residential development at the adopted level of service (LOS) standards throughout the planning period in the 5-year schedule of capital improvements.	Implemented: Ongoing.
Policy 1.2.6	Pursuant to Chapter 163, Florida Statutes, the Miami-Dade County Public Schools 5-Year District Facilities Work Program, developed by Miami-Dade County Public Schools and adopted by the Miami-Dade County Public School Board on September 5, 2007, is incorporated by reference into the Village's Capital Improvement Plan, as applicable. The Village shall coordinate with Miami-Dade County Public Schools to annually update its Facilities Work Program and/or concurrency service area maps to include existing and anticipated facilities for both the 5-year and long-term planning periods, and to ensure that the adopted level of service standard will continue to be achieved and maintained. The Village, through its annual updates of the 5-year Capital Improvements Element and Program, will incorporate by reference the latest adopted Miami-Dade County Public School Facilities Work Program for educational facilities. The Village, Miami-Dade County Public School, and other local governments will coordinate their planning efforts prior to and during the Village's Comprehensive Land Use Plan amendment process, and during updates to the Miami-Dade County Public Schools Facilities Work Program. The Miami-Dade County Public Schools Facilities Work Program will be evaluated on an annual basis to ensure that the level of service standards will continue to be achieved and maintained throughout the planning period.	Implemented: Ongoing.
Objective 1.3	Obtain suitable site for the development and expansion of public education facilities.	Not Implemented.
Policy 1.3.1	In the selection of sites for future educational facility development, the Village encourages the Miami-Dade County Public Schools to consider whether a school is in close proximity to residential areas and is in a location that would provide a logical focal point for community activities.	In progress. Coordination efforts will continue with site selection considerations.
Policy 1.3.2	Where possible, the Miami-Dade County Public Schools should seek sites which are adjacent to existing or planned public recreation areas, community centers, libraries, or other compatible civic uses for the purpose of encouraging joint use facilities or the creation of logical focal points for community activity.	In progress. Coordination efforts will continue with site selection considerations.
Policy 1.3.3	The Village acknowledges and concurs that, when selecting a site, the Miami-Dade County Public Schools will consider if the site meets the minimum size criteria as recommended by the State Department of Education or as determined to be necessary for an effective educational environment.	In progress. Coordination efforts will continue with site selection considerations.

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Policy 1.3.4	When considering a site for possible use as an educational facility, the Miami-Dade County Public Schools should review the adequacy and proximity of other public facilities and services necessary to the site such as roadway access, transportation, fire flow and potable water, sanitary sewers, drainage, solid waste, police and fire services, and means by which to assure safe access to schools, including sidewalks, bicycle paths, turn lanes, and signalization. When considering a site for possible use as an educational facility the Miami-Dade County Public Schools should consider whether the present and projected surrounding land uses are compatible with the operation of an educational facility.	In progress. Coordination efforts will continue with site selection considerations.
Policy 1.3.5	The Village will continue to cooperate with Miami-Dade County Public Schools and adjacent local governments in utilizing Miami-Dade County Public School as emergency shelters during county emergencies.	Implemented: Ongoing.
Objective 1.4	Miami-Dade County Public Schools will continue to enhance effectiveness of the learning environment.	Implemented. Ongoing, the Village will continue to coordinate on the effectiveness of the learning environment.
Policy 1.4.1	Miami-Dade County Public Schools is encouraged to continue the design and construction of educational facilities which create the perception of feeling welcome, secure and positive about the students school environment and experiences.	Implemented: Ongoing.
Policy 1.4.2	Miami-Dade County Public Schools is encouraged to continue to design and construct facilities which better provide student access to technology designed to improve learning, such as updated media centers and science laboratories.	Implemented: Ongoing.
Policy 1.4.3	Miami-Dade County Public Schools is encouraged to continue to improve existing educational facilities, in so far as funding is available, through renovation and expansion to better accommodate increasing enrollment, new educational programs and other activities, both curricular and extra-curricular.	Implemented: Ongoing.
Objective 1.5	The School Board, the Village and other appropriate jurisdictions shall establish and implement mechanisms for on-going coordination and communication to ensure the adequate provision of public educational facilities.	Implemented: Ongoing.
Policy 1.5.1	The Village shall coordinate and cooperate with Miami-Dade County Public Schools, the State, County, municipalities, and other appropriate agencies to develop or modify rules and regulations in order to simplify and expedite proposed new educational facility developments and renovations.	Implemented: Ongoing.
Policy 1.5.2	The location of future educational facilities should occur where capacity of other public facilities and services is available to accommodate the infrastructure needs of the educational facility.	Implemented: Ongoing.

Policy 1.5.3	The Miami-Dade County Public Schools should coordinate school capital improvements plans with the planned capital improvement projects of the Village, other municipalities and the County.	In progress. The Village updates the CIP annually.
Policy 1.5.4	The Village shall cooperate with the Miami-Dade County Public Schools in their efforts to ensure that they are not obligated to pay for off-site infrastructure in excess of their fair share of the costs.	In progress. The Village updates the CIP annually.
Policy 1.5.5	The Village shall work with the County and Miami-Dade County Public Schools to periodically review the Educational Facilities Impact Fee Ordinance to strive to ensure that the full eligible capital costs associated with the development of public school capacity (new schools and expansion of existing ones) are identified when updating the impact fee structure. Pursuant to the terms of the state mandated Interlocal Agreement, the County and School Board shall review the Ordinance, its formula, the Educational Facilities Impact Fee methodology and technical report, in order to make recommendations for revisions to the Board of County Commissioners.	In progress. Coordination efforts will continue with review and updates to the Impact Fee Ordinance.
Policy 1.5.6	The Village and Miami-Dade County Public School will annually review the Public School Facilities Element and the Village will make amendments, if necessary.	In progress. Coordination efforts will continue with periodic updates to the Public School Facilities Element.
Policy 1.5.7	The Village shall seek to coordinate with the Miami-Dade County Public Schools in formalizing criteria for appropriate sharing of responsibility for required offsite facility improvements attributable to construction of new public schools or expansion of existing ones. The criteria should be prepared prior to the next full review of the School Impact Fee Ordinance.	In progress. The Village seeks to coordinate on an additional high school to be located at the former Frost museum in Miami.
Policy 1.5.8	The Village shall coordinate with the Miami-Dade County Public Schools and local governments to eliminate infrastructure deficiencies surrounding existing school sites.	Implemented: Ongoing.
Policy 1.5.9	The Village and the Miami-Dade County Public Schools shall coordinate efforts to ensure the availability of adequate sites for the required educational facilities.	In progress. The Village seeks to coordinate on an additional high school to be located at the former Frost museum in Miami.
Policy 1.5.10	The Village and the Miami-Dade County Public Schools shall coordinate the appropriate roles and responsibilities of affected governmental jurisdictions in ensuring the timely, orderly and efficient provision of adequate educational facilities.	In progress. The Village seeks to coordinate on an additional high school to be located at the former Frost museum in Miami.
Policy 1.5.11	The Village will account for the infrastructure needs of new, planned or expanded educational facilities when formulating and implementing its own capital improvement plans.	
Objective 1.6	Miami-Dade County Public Schools in conjunction with the Village and other appropriate agencies, will strive to improve security and safety for students and staff.	Implemented: Ongoing.

Policy 1.6.1	Continue to cooperate with the Miami-Dade County Public Schools to develop and/or implement programs and policies designed to reduce the incidence of violence, weapons and vandalism on school campuses. Encourage the design of facilities, which do not encourage criminal behavior and provide clear sight lines from the street.	Implemented: Ongoing.
Policy 1.6.2	Continue to cooperate with the Miami-Dade County Public Schools to develop and/or implement programs and policies designed to reduce the number of incidents related to hazardous conditions as reported by the Environmental Protection Agency (EPA), the fire marshal, the State Department of Education and other appropriate sources.	Implemented: Ongoing.
Policy 1.6.3	Continue to cooperate with the Miami-Dade County Public Schools to provide for the availability of alternative programs for at-risk students at appropriate public educational facilities.	Implemented: Ongoing.
Policy 1.6.4	Coordinate with the Miami-Dade County Public Schools and the County to provide for pedestrian and traffic safety in the area of schools and signalization for education facilities.	Implemented: Ongoing.



Statutory Changes to Comprehensive Plan Requirements from 2008-2016 and related impacts to the Village of Key Biscayne's Comprehensive Plan

N/A = Not Applicable

	2008 [Chapters 2008-191 and Chapters 2008-227, Laws of Florida]						
	Changes to Statute	Citations	N/A	Addressed (Where/How)	Amendments Needed		
1	The future land use plan must discourage urban sprawl. Ch. 2008-191, LOF.	163.3177(6)(a)	Х				
2	The future land use plan must be based upon energy- efficient land use patterns accounting for existing and future energy electric power generation and transmission systems. Ch. 2008-191, LOF.	163.3177(6)(a)		Repealed			
3	The future land use plan must be based upon greenhouse gas reduction strategies. Ch. 2008-191, LOF.	163.3177(6)(a)		Repealed			
4	The traffic circulation element must include transportation strategies to address reduction in greenhouse gas emissions. Ch. 2008-191, LOF.	163.3177(6)(b)		Repealed			
5	The conservation element must include factors that affect energy conservation. Ch. 2008-191, LOF.	163.3177(6)(d)		Repealed			
6	The future land use map series must depict energy conservation. Ch. 2008-191, LOF.	163.3177(6)(d)		Repealed			
7	The housing element must include standards, plans and principles to be followed in energy efficiency in the design and construction of new housing and in the use of renewable energy resources. Ch. 2008-191, LOF.	163.3177(6) (f)1.h. and i.		Repealed			
8	Local governments within an MPO area must revise their transportation element to include strategies to reduce greenhouse gas emissions. Ch. 2008-191, LOF.	163.3177(6)(j)		Repealed			
9	Various changes were made in the State Comprehensive Plan (Chapter 187, F.S.) that address low-carbon-emitting electric power plants. See Section 5 of Chapter 2008-227, LOF.	State Comprehensive Plan		State Comprehensive Plan			

	2009 [Chapters 2009-85 and Chapters 2009-96, Laws of Florida]						
	Changes to Statute	Citations	N/A	Addressed (Where/How)	Amendments Needed		
1	Changes "Existing Urban service area" to "Urban service area" and revises the definition of such an area. Section 2, Chapter 2009-96, LOF.	163.3164(29)		Procedural			
2	Adds definition of "Dense urban land area." Section 2, Chapter 2009-96, LOF.	163.3164(34)		Procedural			
3	Postpones from December 1, 2008 to December 1, 2011, the need for the annual update to the capital improvements element to be financially feasible. Section 3, Chapter 2009-96, LOF.	163.3177(3)(b)1.		Repealed			

4	Requires the future land use element to include by June 30, 2012, criteria that will be used to achieve compatibility of lands near public use airports. For military installations, the date is changed from June 30, 2006, to June 30, 2012. Section 3, Chapter 2009-85, LOF.	163.3177(6)(a)	Х		
5	Requires the intergovernmental coordination element to recognize airport master plans. Section 3, Chapter 2009-85, LOF.	163.3177(6) (h)1.b.		Repealed	
6	Requires the intergovernmental coordination element to include a mandatory (rather than voluntary) dispute resolution process and requires use of the process prescribed in section 186.509, F.S., for this purpose. Section 3, Chapter 2009-96, LOF.	163.3177(6) (h)1.c.			Amendment Needed, not included in Comprehensive Plan
7	Requires the intergovernmental coordination element to provide for interlocal agreements pursuant to s.333.03(1)(b), F.S., between adjacent local governments regarding airport zoning regulations. Section 3, Chapter 2009-85, LOF.	163.3177(6) (h)1.d.		Repealed	
8	Defines "rural agricultural industrial center" and provides for their expansion though the plan amendment process. Section 1, Chapter 2009-154, LOF	163.3177(15)(a) [New]	Х		
9	Allows a municipality that is not a dense urban land area to amend its comprehensive plan to designate certain areas as transportation concurrency exception areas. Section 4, Chapter 2009-96, LOF.	163.3180(5)(b)2.		Procedural	
10	Allows a county that is not a dense urban land area to amend its comprehensive plan to designate certain areas as transportation concurrency exception areas. Section 4, Chapter 2009-96, LOF.	163.3180(5)(b)3.	Х		
11	Requires local governments with state identified transportation concurrency exception areas to adopt land use and transportation strategies to support and fund mobility within such areas. Section 4, Chapter 2009-96, LOF.	163.3180(5)(b)4.	Х		
12	Except in transportation concurrency exception areas, local governments must adopt the level-of-service established by the Department of Transportation for roadway facilities on the Strategic Intermodal System. Section 4, Chapter 2009-96, LOF.	163.3180(10)	Х		
13	Defines a backlogged transportation facility to be one on which the adopted level-of-service is exceeded by existing trips, plus additional projected background trips. Section 5, Chapter 2009-85, LOF.	163.3180(12)(b) & (16)(i)		Procedural	

	2010 [Chapters 2010-5, 2010-33, 2010-70, 2010-102, 2010-182, 2010-205 and 2010-209, Laws of Florida]				
	Changes to Statutes	Citations	N/A	Addressed (Where/How)	Amendments Needed
1	Deletes section 163.31771(6), F.S. (obsolete language that addressed an accessory dwelling unit repot); no sustentative comprehensive planning requirement impact. Section 16, Chapter 2010-5, LOF.			Procedural	
2	Chapter 2010-102, Laws of Florida, makes several minor changes which do not effect sustentative comprehensive planning requirements: 1. Section 163.2526, F.S.: repealed 2. Section 163.3167(2), F.S.: obsolete language deleted 3. Section 163.3177(6)(h), F.S.: minor wording changes 4. Section 163.3177(10)(k), F.S.: minor wording changes 5. Section 163.3178(6), F.S.: obsolete language deleted 6. Section 163.2511(1), F.S.: minor wording changes 7. Section 163.2514, F.S.: minor wording changes 8. Section 163.3202, F.S.: minor wording changes			Procedural	
3	Chapter 2010-205, Laws of Florida, makes several minor wording changes Chapter 163, Part II, F.S., which do not affect sustentative comprehensive planning requirements: 1. Section 163.3167(13), F.S. 2. Section 163.3177(4)(a), F.S. 3. Section 163.3177(6)(c), (d) and (h), F.S. 4. Section 163.3191(2)(I), F.S.			Procedural	
4	Chapter 2010-209, Laws of Florida, make a minor wording change in Section 163.2523, F.S., which does not affect sustentative comprehensive planning requirements.			Procedural	
5	Deleted the phrase "SMART Schools Clearinghouse". Section 11, Chapter 2010-70, LOF.	163.31777(1)(a) and (3)(a)		Procedural	
6	Revises section 163.3175, F.S., to list the 14 military installations and 43 local governments affected by special coordination and communication requirements. Section 1, Chapter 2010-182, LOF.	163.3175(2)		Procedural	
7	Revises section 163.377(6)(a), F.S., to specify that the 43 local governments listed in section 163.3175(2), F.S., must consider the factors listed in section 163.3175(5), F.S., when considering the compatibility of land uses proximate to military installations. Section 2, Chapter 2010-182, LOF.	163.3177(6)(a)	х		
8	Revised section 163.3180(4)(b), F.S., to define hangars for the assembly, manufacture, maintenance or storage of aircraft as public transit facilities. Section 1, Chapter 2010-33, LOF.	163.3180(4)(b)		Procedural	

	2011 [Chapters 2011-	139, Laws of F	lorida	a]	
	Changes to Statutes	Citations	N/A	Addressed (Where/How)	Amendments Needed
1	Deletes the exemption for plan amendments to designate an urban infill and redevelopment area from the twice per year amendment limitation of s.163.3187.	163.2517(4)		Procedural	
2	Changes "Local Government Comprehensive Planning and Land Development Regulation Act" to "Community Planning Act."	163.3161(1)		Procedural	
3	Expresses the purpose of the act, changing "control" future development to "manage" future development "consistent with the proper role of local government."	163.3161(2)		Procedural	
4	States the intent of the act is to focus the state role in managing growth to protect the functions of important state resources and facilities.	1633161(3) [New]		Procedural	
5	Modifies the intent of the legislature with respect to how comprehensive plans and amendments affect property rights.	163.3161(10)		Procedural	
6	States the intent is to recognize and protect agriculture, tourism and military presence as being the state's traditional economic base.	163.3161(11) [New]		Procedural	
7	States the intent is to not require local government plans that have been found to be in compliance to adopt amendments implementing the new statutory requirements until the evaluation and appraisal period provided in s. 163.3191.	163.3161(12) [New]		Procedural	
8	Modifies the provisions for agricultural lands and practices to state that a plan amendment for an agricultural enclave is presumed not to be urban sprawl as defined in 163.3164.	163.3162(4)	х		
9	Changes "Local Government Comprehensive Planning and Land Development Regulation Act" to "Community Planning Act" and sets forth new and modified definitions, many of which were included in repealed Rule 9J-5.003, F.A.C.	163.3164		Procedural	
10	Establishes definition for "adaptation action area."	163.3164(1) [New]		Procedural	
11	Establishes definition for "affordable housing" [same meaning as in s.420.0004(3)].	163.3164(3) [previously in Rule 9J-5]		Procedural	
12	Establishes definition for "antiquated subdivision."	163.3164(5) [New]		Procedural	
13	Establishes definition for "capital improvement."	163.3164(7) [previously in Rule 9J-5]		Procedural	
14	Establishes definition for "compatibility."	163.3164(9) [previously in Rule 9J-5]		Procedural	

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15	Establishes definition for "deepwater ports."	163.3164(11) [previously in Rule 9J-5]	Procedural	
16	Establishes definition for "density."	163.3164(12) [previously in Rule 9J-5]	Procedural	
17	Establishes definition for "floodprone areas."	163.3164(18) [previously in Rule 9J-5]	Procedural	
18	Establishes definition for "goal."	163.3164(19) [previously in Rule 9J-5]	Procedural	
19	Establishes definition for "intensity."	163.3164(22) [previously in Rule 9J-5]	Procedural	
20	Establishes definition for "internal trip capture."	163.3164(23) [New]	Procedural	
21	Establishes definition for "level of service."	163.3164(28) [previously in Rule 9J-5]	Procedural	
22	Deletes definition for "financial feasibility."	163.3164(32) [Deleted]	Procedural	
23	Establishes definition for "new town."	163.3164(32) [previously in Rule 9J-5]	Procedural	
24	Establishes definition for "objective."	163.3164(33) [previously in Rule 9J-5]	Procedural	
25	Deletes definition for "dense urban land areas."	163.3164(34) [Deleted]	Procedural	
26	Establishes definition for "policy."	163.3164(36) [previously in Rule 9J-5]	Procedural	
27	Deletes health systems and spoil disposal sites for maintenance dredging located in intracoastal waterways (except sites owned by ports) from the definition of "public facilities."	163.3164(38)	Procedural	
28	Changes definition of "regional planning agency" to "the council created pursuant to chapter 186."	163.3164(40)	Procedural	
29	Establishes definition for "seasonal population."	163.3164(41) [previously in Rule 9J-5]	Procedural	
30	Changes definition of "optional sector plan" to "sector plan" and clarifies the purpose of a sector plan. The term includes an optional sector plan that was adopted before the effective date of the act.	163.3164(42)	Procedural	
31	Establishes definition for "suitability."	163.3164(45) [previously in Rule 9J-5]	Procedural	

32	Establishes definition for "transit-oriented development."	163.3164(46) [New]	Procedural	
33	Clarifies the definition of "urban service area" to delete the term "built-up" and to include any areas identified in the comprehensive plan as urban service areas, regardless of local government limitation.	163.3164(50)	Procedural	
34	Establishes new definition for "urban sprawl."	163.3164(51) [replaces definition previously in 9J-5]	Procedural	
35	Modifies requirements for maintaining comprehensive plan, deleting the reference to s. 1633184 and the requirement that proposed plan amendments be submitted to the state land planning agency.	163.3167(2)	Procedural	
36	Deletes provisions for regional planning agency adoption of plan amendments for elements and amendments not prepared by a local government.	163.3167(3) and (6) [Deleted]	Procedural	
37	Deletes provisions for local government challenge of costs associated with preparing a comprehensive plan and related state land planning agency action.	163.3167(7) [Deleted]	Procedural	
38	Deletes provisions for encouraging each local government to articulate a vision of its future physical appearance and qualities of its community.	163.3167(11) [Deleted]	Procedural	
39	Establishes provisions for "planning innovations and technical assistance" and clarifies the roles of the state land planning agency and all other appropriate state and regional agencies in the process. Requires, upon request by the local government, the state land planning agency to coordinate multi-agency assistance on plan amendments that may adversely impact important state resources or facilities. Requires the state land planning agency to provide on its website guidance on the submittal and adoption of comprehensive plans, amendments and land development regulations, prohibiting such guidance from being adopted by rule and exempting such guidance from s. 120.54(1)(a).	163.3168(1) – (4) [New]	Procedural	
40	Modifies areas of authority under this act with respect to joint agreements and intergovernmental coordination between cities and counties and planning in advance of jurisdictional changes.	163.3171(4)	Procedural	
41	Modifies military base compatibility provisions to not require that commanding officer comments, underlying studies and reports be binding on the local government. Requires the affected local government to be sensitive to private property rights and not be unduly restrictive on those rights in considering the comments provided by the commanding officer or designee.	163.3175(5)(d) and (6)	Procedural	

42	Modified to require that any local government comprehensive plan that has been amended to address military compatibility requirements after 2004 and was found in compliance be deemed in compliance until the local government conducts its evaluation and appraisal review pursuant to s.163.3191 and determines that amendments are necessary.	163.3175(9)	Procedural	
43	Modified to include significant portions of repealed Rule 9J-5.001 and 9J-5.005, F.A.C., with respect to the principles, guidelines, standards and strategies to be set forth in required and optional elements of the comprehensive plan and requirements for basing these elements on relevant, appropriate and professionally accepted data.	163.3177(1)	Procedural	
44	Deletes financial feasibility requirements.	163.3177(2)	Procedural	
45	Modifies provisions for preparing the capital improvements element to require the schedule to cover a 5-year period and identify whether projects are either funded or unfunded and given a level of priority for funding. Deletes requirements for financial feasibility.	163.3177(3)(a)4	Capital Improvements Element, Objective 1	
46	Modifies requirements for local government annual review of capital improvements element to no longer require transmittal of the adopted amendment to the state land planning agency and deletes provisions related to sanctions by the Administration Commission, adoption of long-term concurrency management systems and financial feasibility.	163.3177(3)(b)	Procedural	
47	Modifies planning period requirements, allowing additional planning periods for specific components, elements, land use amendments, or projects as part of the planning process.	163.3177(5)(a)	Procedural	
48	Modifies requirements for the future land use element to include guidance from repealed Rule 9J-5.006, F.A.C., relative to general range of density or intensity of uses for gross land area and establishing a long term end toward which land use programs and activities are ultimately directed.	163.3177(6)(a)	Procedural	
49	Modifies the standards on which future land use plan and plan amendments are based to include: permanent and seasonal population, compatibility, the need to modify land uses and development patterns within antiquated subdivisions, preservation of waterfronts, location of schools proximate to urban residential areas, and other considerations taken from repealed Rule 9J-5.006, F.A.C.	163.3177(6)(a)2 and 3	Procedural	
50	Modifies requirements for the future land use element "to accommodate at least the minimum amount of land required to accommodate the medium projections of the University of Florida's Bureau of Economic and Business Research for at least a 10-year planning period unless otherwise limited."	163.3177(6)(a)4	Procedural	

51	Establishes requirements for analyzing future land use map amendments using portions of repealed Rule 9J-5.006, F.A.C.	163.3177(6)(a)8 [New]		Procedural	
52	Establishes requirements for the future land use element and map series, including with slight revisions the primary indicators that a plan or plan amendment does not discourage the proliferation of urban sprawl that were in repealed Rule 9J-5.006, F.A.C.	163.3177(6)(a)9 and 10 [New]	Х		
53	Modifies requirements for the transportation element to include significant portions of repealed Rule 9J-5.019, F.A.C., addressing circulation of recreational traffic, including bicycle facilities, exercise trails, riding facilities and airport master plans.	163.3177(6)(b)		Transportation Element	
54	Modifies requirements for the general sanitary sewer, solid waste, drainage, potable water, and natural groundwater aquifer recharge element to include guidance from portions of repealed Rule 9J-5.011, F.A.C., and deletes requirements for including a topographic map depicting any areas adopted by a water management district as prime groundwater recharge areas and addressing areas served by septic tanks.	163.3177(6)(c)		Procedural	
55	Modifies potable water supply planning requirements to remove the provision that states that "amendments to incorporate the work plan do not count toward the limitation on the frequency of adoption of amendments to the comprehensive plan."	163.3177(6)(c)3		Procedural	
56	Modifies requirements for the conservation element to include portions of repealed Rule 9J-5.013, F.A.C., to list the natural resources to be identified, analyzed and protected and toward which conservation principles, guidelines and standards are to be directed.	163.3177(6)(d)1 and 2 [New]		Procedural	
57	Modifies requirements for analyzing current and projected water sources for a 10-year period to include consideration of demands for industrial, agricultural and potable water use and the quality and quantity of water available to meet these demands and the existing levels of conservation, use and protection and policies of the regional water management district.	163.3177(6)(d)3		Infrastructure, Conservation, and Coastal Management Elements	Amendments are needed to adopt a Water Supply Facilities Plan
58	Clarifies requirements for the housing element to include guidelines, standards and strategies based on an inventory taken from the latest decennial United States Census or more recent estimates and various other considerations listed in repealed Rule 9J-5.010, F.A.C.	163.3177(6)(f)1 and 2		Procedural	
59	Deletes requirement for an affordable housing needs assessment conducted by the state land planning agency.	163.3177(6)(f)2 [Deleted]		Procedural	

60	Based on repealed Rule 9J-5.010, F.A.C., sets forth new requirements for the creation and preservation of affordable housing, elimination of substandard housing conditions, providing for adequate sites and distribution for a range of incomes and types and including programs for partnering, streamlined permitting, quality of housing, neighborhood stabilization and improving historically significant housing.	163.3177(6)(f)3 [New]	Housing Element, Objectives 1.3 – 1.7
61	Modifies the objectives of the coastal management element and includes a new requirement for preserving historic and archaeological resources.	163.3177(6)(g)	Conservation and Coastal Management Element, Objective 2.4
62	Deletes provisions for local government adoption of recreational surface water use policies.	163.3177(6)(g)2 [Deleted]	Procedural
63	Sets forth an option for the local government to develop an adaptation action area designation for low-lying coastal zones experiencing coastal flooding due to extreme high tides and storm surge and are vulnerable to the impacts of rising sea level.	163.3177(6) (g)10 [New]	Procedural
64	Deletes requirement for intergovernmental coordination element to provide for recognition of campus master plans and airport master plans.	163.3177(6) (h)1.b [Deleted]	Procedural
65	Modifies requirements for the intergovernmental coordination element to include portions of repealed Rule 9J-5.015, F.A.C, including coordinating and addressing impacts on adjacent municipalities and coordinating the establishment of level of service standards.	163.3177(6) (h)3.a and b [New]	Procedural
66	Deletes requirements in intergovernmental coordination element for fostering coordination between special districts and local general purpose governments, submittal of public facilities report, execution of interlocal agreement with district school board, the county and nonexempt municipalities, and submittal of reports to the Florida Department of Community Affairs by counties with populations greater than 100,000.	163.3177(6)(h)3 and 4 [Deleted]	Procedural
67	Deletes provisions for optional elements of the comprehensive plan, transportation and traffic circulation, airport compatibility and other requirements related to transportation corridors and reduction of greenhouse gas emissions specific to local governments within an urbanized area.	163.3177(6)(i), (j), (k) [Deleted]	Procedural
68	Deletes provisions for airport master plans.	163.3177(6)(k) [Deleted]	Procedural
69	Deletes provisions for additional plan elements, or portions or phases thereof, including an economic development element.	163.3177(7)(a)- (I) [Deleted]	Procedural
70	See prior table entries for description of deleted provisions.	163.3177(8)-(14) [Deleted]	Repealed

71	See Chapter 2011-139, Laws of Florida.	163.3177(15)(a) Now: 163.3177(7)(a)		
72	Modifies provisions for processing plan amendments for land located within a rural agricultural industrial center to presume that these amendments are not urban sprawl as defined in s. 163.3164 and shall be considered within 90 days after any review required by the state land planning agency if required by s. 163.3184.	163.3177(7)(c)2	Procedural	
73	Deletes requirements for public schools interlocal agreements with respect to submittal of the agreements to the state land planning agency based on an established schedule and other requirements involving the state land planning agency related to waivers and exemptions.	163.31777(1) (b)-(d) and (2)	Procedural	
74	Deletes requirements related to the submittal of comments from the Office of Educational Facilities on the interlocal agreement, challenges to the state land planning agency notice of intent and other review process requirements.	163.31777(3)(a)- (c) and (4)-(7) [Deleted]	Procedural	
75	Deletes parks and recreation, schools and transportation from the list of public facilities and services subject to the concurrency requirement on a statewide basis.	163.3180(1)	Optional	
76	Modifies concurrency requirements to include portions of repealed Rule 9J-5.0055, F.A.C., which relate to achieving and maintaining adopted levels of service for a 5-year period, and providing for rescission of any optional concurrency provisions by plan amendment, which is not subject to state review.	163.3180 (1)(a) and (b) [New]	Procedural	
77	Deletes requirement that professionally accepted techniques be used for measuring levels of service for automobiles, bicycles, pedestrians, transit and trucks.	163.3180(1)(b) [Deleted]	Procedural	
78	Deletes requirement that parks and recreation facilities to serve new development are in place or under actual construction no later than one year after issuance of a certificate of occupancy or its functional equivalent.	163.3180(2)(b) and (c) [Deleted]	Procedural	
79	Deletes provisions addressing governmental entities and establishment of binding level of service standards with respect to limiting the authority of any agency to recommend or make objections, recommendations, comments or determinations during reviews conducted under s .163.3184	163.3180(3)	Procedural	
80	Deletes concurrency provisions specifically related to public transit facilities and urban infill and redevelopment areas.	163.3180(4)(b) and (c) [Deleted]	Procedural	

81	Establishes concurrency provisions for transportation facilities, which include portions of repealed Rule 9J-5.0055, F.A.C. Sets forth requirements with respect to adopted level of service standards, including use of professionally accepted studies to evaluate levels of service, achieving and maintaining adopted levels of service standards, and including the projects needed to accomplish this in 5-year schedule of capital improvements. Requires coordination with adjacent local governments and setting forth the method to be used in calculating proportionate-share contribution. Defines the term "transportation deficiency."	163.3180(5)(a)- (h) [New]	Procedural	
82	See prior table entries for description of deleted provisions.	163.3180(6)-(13) [Deleted]		
83	Sets forth concurrency provisions for public education, setting forth provisions for those local governments that apply concurrency to public education. If a county and one or more municipalities that represent at least 80 percent of the total countywide population have adopted school concurrency, the failure of one or more municipalities to adopt the concurrency and enter into the interlocal agreement does not preclude implementation of school concurrency within jurisdictions of the school district that have opted to implement concurrency.	163.3180(6)(a) [New]	Procedural	
84	Modifies school concurrency provisions to clarify that adoption and application of school concurrency is optional.	163.3180(6)(f)1 and 2	Procedural	
85	Modifies school concurrency provisions to remove requirement for financial feasibility and to require that facilities necessary to meet adopted levels of service during a 5-year period are identified and consistent with the school board's educational facilities plan.	163.3180(d) Now: 163.3180(g)	Procedural	
86	Modifies school concurrency provisions to allow a landowner to proceed with development of a specific parcel of land notwithstanding a failure of the development to satisfy school concurrency if certain factors are shown to exist, including adequate facilities are provided for in the capital improvements element and school board's educational facilities plan, demonstration that facilities needs can be reasonably provided, and the local government and school board have provided a means by which proportionate share is assessed.	163.3180(h)1.a, b and c [New]	Procedural	
87	See prior table entries for description of deleted provisions.	163.3180(14)- (17) [Deleted]		
88	Changes "transportation concurrency backlogs" to "transportation deficiencies" and makes related clarifications.	163.3182 [Revised]	Procedural	

	Changes "creation of transportation concurrency			
89	backlog authorities" to "creation of transportation development authorities" and makes related clarifications.	163.3182(2) [Revised]	Procedural	
90	Changes "powers of a transportation concurrency backlog authority" to "powers of a transportation development authority" and makes related clarifications.	163.3182(4) [Revised]	Procedural	
91	Modifies the definition of "in compliance" to include a reference to s. 163.3248 and delete the reference to now repealed chapter 9J-5, F.A.C.	163.3184(1)(b) [Revised]	Procedural	
92	Provides a list of the "reviewing agencies."	163.3184(1)(c) [New]	Procedural	
93	Sets forth the "expedited" and "coordinated" review processes.	163.3184(2) [New]	Procedural	
94	Sets forth requirements for adopting and processing plan amendments according to the "expedited" and "coordinated" review processes, the scope of the comments to be provided by review agencies, responsibilities of the state land planning agency with respect to its various levels of review and coordination with other state agencies and public hearings.	163.3184(3) and (4) [New]	Procedural	
95	Sets forth requirements for administrative challenges to plans and plan amendments, compliance agreements and mediation and expeditious resolution.	163.3184(5)-(7) [New]	Procedural	
96	Modifies provisions to enable the administration commission to specify sanctions to which the local government will be subject if it elects to make a plan amendment effective notwithstanding a determination of noncompliance.	163.3184(11) Now: 163.3184(8)	Procedural	
97	Modifies provisions for public hearings to state there is no prohibition or limitation on the authority of local governments to require a person requesting an amendment to pay some or all of the cost of the public notice.	163.3184(15) Now: 163.3184(11)	Procedural	
98	Establishes provisions for concurrent zoning, requiring a local government, at the request of an applicant, to consider an application for zoning changes that would be required to properly enact any proposed plan amendment and making the approved zoning changes contingent upon the comprehensive plan or amendment becoming effective.	163.3184(12) [New]	Procedural	
99	Revises provisions to require that no proposed local government comprehensive plan or plan amendment that is applicable to a designated area of critical state concern shall be effective until a final order is issued finding the plan or amendment to be in compliance as defined in paragraph (1)(b).	163.3184(13) [New]	Procedural	

100	Modifies provisions to address the process for adoption of small-scale comprehensive plan amendments, deleting several exceptions. Plan amendments are no longer limited to two times per calendar year and text changes that relate directly to and are adopted simultaneously with small scale FLUM amendments are permissible.	163.3187(1) (a)-(f) Now: 163.3187(1) (a)-(d)	Procedural	
101	Modifies the public notice requirements for small scale plan amendments, addressing petitions, prohibiting the state land planning agency from intervening and requiring that consideration be given to the plan amendment as a whole and whether it furthers the intent of this part in all challenges.	163.3187 (1)2.a & b;3,4 and (e)-(q) Now: 163.3187(2)-(5)	Procedural	
102	See prior table entries for description of deleted provisions.	163.3189 Now: Repealed	Repealed	
103	Modifies provisions for evaluation and appraisal of comprehensive plan. Maintains the requirement for local government evaluation of plan to occur at least once every 7 years. The local government is required to determine if amendments are necessary to reflect changes in state requirements (only) since the last update and to notify the state land planning agency by letter as to its determination. If needed, these amendments are to be prepared and transmitted within 1 year of this determination for review pursuant to 163.3184 (i.e., State Coordinated Review). Local governments are encouraged to comprehensively evaluate and as necessary update plans to reflect changes in local conditions. If a local government fails to submit its notification letter to the state land planning agency or fails to update its plan to reflect changes in state requirements, then the local government is prohibited from amending its plan until it complies with these requirements. The state land planning agency may not adopt rules to implement this section, other than procedural rules or a schedule indicating when local governments must comply with these requirements.	163.3191 (1) - (14) Now: 163.3191(1)-(5)	Procedural	
104	Deletes the reference to s. 163.3187(1) and provisions regarding the frequency of adoption of plan amendments as they relate to adoption of a municipal overlay.	163.3217(2)	Procedural	
105	Changes "Local Government Comprehensive Planning and Land Development Regulation Act" to "Community Planning Act."	163.3220(3)	Procedural	
106	Changes "Local Government Comprehensive Planning and Land Development Regulation Act" to "Community Planning Act."	163.3221 (2) & (11)	Procedural	
107	Revises the duration of a development agreement from 20 years to 30 years, unless it is extended by mutual consent, and deletes reference to s. 163.3187 and s.163.3189 regarding compliance determination by state land planning agency.	163.3229	Procedural	

108	Modifies provisions for periodic review of a development agreement to delete requirements for annual review conducted during years 6 through 10, incorporation of the review into a written report and the state land planning agency adoption of rules regarding the contents of the report.	163.3235	Procedural	
109	Deletes requirements that a copy of the recorded development agreement be submitted to the state land planning agency within 14 days after the agreement is recorded and for the effectiveness of the agreement based on receipt by the state land planning agency.	163.3239	Procedural	
110	Changes "Optional Sector Plans" to "Sector Plans" and clarifies the intent to promote and encourage long-term planning for conservation, development and agriculture on a landscape scale and protection of regionally significant resources, including regionally significant water courses and wildlife corridors. Revises the amount of geographic area intended for sector plans from at least 5,000 acres to at least 15,000 acres and protection of public facilities.	163.3245(1)	Procedural	
111	Deletes provisions for the state land planning agency entering into an agreement to authorize preparation of an optional sector plan, and consideration of the state comprehensive and strategic regional policy plans, and clarifies the process for scoping meetings and joint planning agreements.	163.3245(2)	Procedural	
112	Modifies the provisions for two levels of sector planning, clarifying the requirements for the long term master plan and detailed specific area plan. These plans may be based upon a planning period longer than timeframe on which the local comprehensive plan is based and are not required to demonstrate need. The state land planning agency is required to consult with certain other agencies as part of its review of the plans.	163.3245(3)	Procedural	
113	Requires consistency with any long-range transportation plan and regional water supply plans, including consideration of water supply availability and consumptive use permitting.	163.3245(4) [New]	Transportation Element policies 1.2.3 and 1.3.1	
114	Requires the detailed specific area plan to establish a buildout date until which the approved development is not subject to downzoning, unit density reduction or intensity reduction, with certain exceptions.	163.3245(5)(d) [New]	Procedural	
115	Establishes provisions for master development approval, pursuant to s. 380.06(21), for the entire planning area in order to establish a buildout date and describes the level of detail appropriate for review of the application.	163.3245(6) [New]	Procedural	

116	Establishes provisions for a developer within an area subject to a long-term master plan or detailed specific area plan to enter into a development agreement.	163.3245(7) [New]		Procedural	
117	Establishes provisions for landowner withdrawal of consent to the master plan relative to proposed and adopted amendments.	163.3245(8) [New]		Procedural	
118	Allows the right to continue, after adoption of a long-term master plan or a detailed specific area plan, existing agricultural or silvicultural uses or other natural resource-based operations or establishment of similar new uses that are consistent with plans approved pursuant to this section.	163.3245(9) [New]		Procedural	
119	Allows the state land planning agency to enter into an agreement with a local government that on or before July 1, 2011 adopted a large-area comprehensive plan amendment consisting of at least 15,000 acres based on certain requirements.	163.3245(10) [New]		Procedural	
120	Addresses a detailed specific area plan to implement a conceptual long-term buildout overlay found in compliance before July 1, 2011.	163.3245(11) [New]		Procedural	
121	Provides for a landowner or developer that has received approval of a master DRI development order to implement this order by filing application(s) to approve the detailed specific area plan.	163.3245(12) [New]		Procedural	
122	Modifies provisions in the local government comprehensive planning certification program to allow small scale development amendments to follow the process in s. 163.3187.	163.3246(9)(a)		Procedural	
123	Deletes provisions in the local government comprehensive planning certification program that address the failure to adopt a timely evaluation and appraisal report and failure to adopt an evaluation and appraisal report found to be sufficient.	163.3246(12)		Procedural	
124	Deletes the requirement that the Office of Program Policy Analysis and Government Accountability prepare a report evaluating the certification program.	163.3246(14) [Deleted]		Procedural	
125	See prior table entries for description of repealed provisions.	163.32465 Now: Repealed			
126	Establishes provisions for Rural Land Stewardship Areas, which were provided for as part of the innovative and flexible planning and development strategies in now repealed s. 163.3177(11).	163.3248 [New]	х		
127	Sets forth the intent of Rural Land Stewardship Areas	163.3248(1) [New]	Х		
128	Establishes a process upon which local governments may adopt a future land use overlay, which may not require a demonstration of need based on population projections or any other factors.	163.3248(2) [New]		Procedural	
129	Sets forth six broad principles of rural sustainability that rural land stewardship areas are to further.	163.3248(3) [New]	Х		

130	Provides for agency assistance and participation to local governments or property owners in development of a plan for rural land stewardship	163.3248(4) [New]	Х		
131	area. Requires that a rural land stewardship area not be less than 10,000 acres, is located outside of municipalities and established urban service areas and is designated by plan amendment by each local government with jurisdiction.	163.3248(5) [New]	Х		
132	Requires the plan amendment(s) designating a rural land stewardship area to be reviewed pursuant to s. 163.3184 and to meet certain requirements involving criteria for designating receiving areas, the application of innovative planning and development strategies, a process for implementing these strategies and a mix of densities and intensities that would not be characterized as urban sprawl.	163.3248(5)(a)- (d) [New]	х		
133	Requires a receiving area to be designated only pursuant to procedures established in the local government's land development regulations. If approval of the designation by a county board of county commissioners is required, it is to be made by resolution with a simple majority vote. A listed species survey must be performed and coordinated with appropriate agencies if listed species occur on the receiving area development site. Protective measures must be based on the rural land stewardship area as a whole.	163.3248(6) [New]	х		
134	Sets forth requirements for establishing a rural land stewardship overlay zoning district and methodology for the creation, conveyance, and use of transferrable rural land use/stewardship credits.	163.3248(7) [New]	х		
135	Sets forth limitations for creating, assigning and transferring stewardship credits based on underlying permitted uses, densities and intensities, and considerations for assigning credits based on the value and location of land and environmental resources.	163.3248(8)(a)- (k) [New]	Х		
136	Provides for incentives to owners of land within rural land stewardship sending areas, in addition to use or conveyance of credits, to enter into rural land stewardship agreements.	163.3248(9)(a)- (e) [New]	х		
137	Expresses the intent of the section as an overlay of land use options that provide economic and regulatory incentives for landowners outside of established and planned urban service areas.	163.3248(10) [New]	х		
138	Expresses the intent of the Legislature that the rural land stewardship area in Collier County be recognized as a statutory rural land stewardship area and be afforded the incentives in this section.	163.3248(11) [New]	х		
139	Changes "Local Government Comprehensive Planning and Land Development Regulation Act" to "Community Planning Act."	163.360(2)(a)		Procedural	

140	Changes "Local Government Comprehensive Planning and Land Development Regulation Act" to "Community Planning Act."	163.516(3)(a)		Procedural	
141	See Chapter 2011-139, Laws of Florida.	163.3177(15)(a) Now: 163.3177(7)(a)			
142	Rewords the definition of farm	163.3162(2)(a)	Х		
143	Rewords the definition of farm operation	163.3162(2)(b)	Х		
144	Adds a definition of government entity	163.3162(2)(d)		Procedural	
145	Changes county to government entity	163.3162(3)(b)		Procedural	
146	Changes county to government entity	163.3162(3)(c)		Procedural	
147	Changes county to government entity	163.3162(3)(c)3		Procedural	
148	Changes county to government entity	163.3162(3)(c)3. (i)		Procedural	
149	Adds provisions related to agricultural enclaves	163.3162 Note	Х		
150	Provides that any local government charter provision that was in effect as of June 1 2011 for an initiative or referendum process for development orders or comprehensive plan amendments may be retained and implemented	163.3167(8)		Procedural	
151	Changes the "preparation of the periodic reports" to "the periodic evaluation and appraisal of the comprehensive plan".	163.3174(4)(b)		June xx, 2018 evaluation letter	
152	Adds "advisory" to define the commanding officer's comments on the impacts of proposed changes to military bases	163.3175(5)	Х		
153	Deletes the provision that the Coastal Resources Interagency Management Committee shall identify incentives to encourage local governments to adopt siting plans and uniform criteria and standardsto implement state goals related to marina siting	163.3178(6)		Procedural	
154	Adds language stating that an amendment that rescinds concurrency shall be processed under the state expedited state review process and is not required to be transmitted to the reviewing agencies for comments	163.3180(1)(a)		Procedural	
155	Provides general rewording. Adds language to clarify that the choice of one or more municipality to not adopt school concurrency does not preclude implementation within other jurisdictions	163.3180(6)(a)		Procedural	
156	Moved to 163.31777(3)	163.3180(6)(i)		Procedural	
157	Adds developments that are proposed under s. 380.06(24)(x) to the list of amendments that must follow the state coordinated review process	163.3184(2)(c)		Procedural	
158	Added the word "working" to clarify the number of days a local government has to transmit an amendment	163.3184(3)(b)1		Procedural	
159	Changes the time limit for the reviewing agencies transmittal to 30 days "after" instead of "from" the date the amendment was received	163.3184(3)(b)2.		Procedural	

160	Added the word "working" to clarify the number of days a local government has to transmit an amendment	163.3184(3)(c)2.	Procedural	
161	Changes the time limit a local government has to transmit an amendment from "immediately following" the first public hearing to "within 10 working days after" the first public hearing	163.3184(4)(b)	Procedural	
162	Added the word "working" to clarify the number of days a local government has to transmit an amendment	163.3184(4)(e)2.	Procedural	
163	Corrects the citation related to plan amendment package completeness from 3(c)3. To (4)(e)3.	163.3184(5)(b)	Procedural	
164	Changes the time limit by which the Administration Commission must enter into a final order from 45 days after receipt of the planning agency	163.3175(5)	Procedural	
165	Removes the word "county" from "board of commissioners"	163.3248(6)	Procedural	

201	2013 [Chapters 2013-15, 2013-78, 2013-115, 2013-213, 2013-224 and 2013-239, Laws of Florida]					
	Changes to Statutes	Citations	N/A	Addresses (Where/How)	Amendments Needed	
1	Re-numbers section 163.3162(3)(b)-(j) as 163.3162(3) (c)-(k) in order to accommodate new section 163.3162(3)(b) – see item 4 below.	163.2136(3) (c)-(k) [re- numbered]	_	Procedural		
2	Amends the definition of "governmental entity" in the provisions for agricultural lands and practices, clarifying that in addition to not including a water control district established under chapter 298 or a special district created by special act for water management purposes, the term does not include a water management district.	163.3162(2)(d)		Procedural		
3	Replaces "county" with "governmental entity."	163.3162(3)(a)		Procedural		
4	Prohibits a governmental entity from charging a fee on a specific agricultural activity of a bona fide farm operation on land classified as agricultural land pursuant to s. 193.461, if such agricultural activity is regulated through implemented best management practices, interim measures, or regulations adopted as rules under chapter 120 by the Department of Environmental Protection, the Department of Agriculture and Consumer Services, or a water management district as part of a statewide or regional program; or if such agricultural activity is expressly regulated by the United States Department of Agriculture, the United States Army Corps of Engineers, or the United States Environmental Protection Agency.	163.3162(3)(b) [New]		Procedural		

5	Clarifies the provisions for growth management that an initiative or referendum process in regard to any development order is prohibited. Removes language that allowed an initiative or referendum process by a local government charter in effect as of June 1, 2011 to be retained and implemented.		Procedural	
6	Clarifies that an initiative or referendum process in regard to any local comprehensive plan amendment or map amendment is prohibited, except for those amendments that affect more than five parcels of land if it is expressly authorized by specific language in a local government charter that was lawful and in effect on June 1, 2011. A general local government charter provision for an initiative or referendum process is not sufficient.	163.3167(8)(b) [New]	Procedural	
7	States the intent of the Legislature is to prohibit any initiative and referendum in regard to any development order, and prohibit any initiative and referendum in regard to any local comprehensive plan or map amendment except as specifically and narrowly permitted in paragraph (b). States these prohibitions are remedial in nature and apply retroactively to any initiative or referendum process commenced after June 1, 2011, clarifying that any such initiative or referendum process that has been commenced or completed thereafter is null and void and of no legal force and effect.	163.3167(8)(c) [New]	Procedural	
8	Revises and adds requirements for local governments that continue to implement a transportation concurrency system, whether in the form adopted into the comprehensive plan before the effective date of the Community Planning Act, chapter 2011-139, Laws of Florida, or as subsequently modified.	163.3180(5)(h)1 [New]	Procedural	
9	Adds "development agreement" in the listed land use development permits for which an applicant may satisfy transportation concurrency requirements of the local comprehensive plan, the local government's concurrency management system and s. 380.06 when applicable, if conditions in subsequent sections are met.	163.3180(5) (h)1.c [New]	Procedural	
10	Adds language allowing a local government to accept contributions from multiple applicants for a planned improvement if it maintains contributions in a separate account designated for that purpose.	163.3180(5) (h)1.c.II [New]	Procedural	
11	Modifies language to require local governments that continue to implement a transportation concurrency system to "provide the basis upon which the landowners will be assessed a proportionate share of the cost addressing the transportation impacts resulting from a proposed development.	163.3180(5) (h)1.d [New]	Capital Improvement Element, policy 1.5.3.	

12	Clarifies that a local government is not required to approve a development that, for reasons other than transportation impacts, is not qualified for approval pursuant to the applicable local comprehensive plan and land development regulations.	163.3180(5)(h)3 [New]	Procedural	
13	Sets forth new provisions for any local government that elects to repeal transportation concurrency. Encourages adoption of alternative mobility funding system that uses one or more of the tools and techniques identified in paragraph (f). Clarifies that any alternative mobility funding system adopted may not be used to deny, time or phase an application for site plan approval, plat approval, final subdivision approval, building permits, or the functional equivalent of such approvals provided that the developer agrees to pay for the development's identified transportation impacts via the funding mechanism implemented by the local government. States that the revenue from the funding mechanism used in the alternative system must be used to implement the needs of the local government's plan which serves as the basis for the fee imposed. Requires a mobility fee-based funding system to comply with the dual rational nexus test applicable to impact fees. An alternative system that is not mobility fee-based shall not be applied in a manner that imposes upon new development any responsibility for funding an existing transportation deficiency as defined in paragraph (h).	163.3180(5)(i) [New]	Procedural	
14	Changes numerous references in the provisions for the local government comprehensive planning certification program from "department" to "state land planning agency."	163.3246(1),(4)- (7), (9)(a), (12) and (13)	Procedural	
15	Creates short title for ss. 163.325-163.3253 as the "Manufacturing Competitiveness Act."	163.325 [New]	Procedural	

16	Creates six definitions as used in the provisions for manufacturing development in ss. 163.3251-163.3253: 1. "Department" means Department of Economic Opportunity; 2. "Local government development approval" means a local land development permit, order, or other approval issued by a local government, or a modification of such permit, order, or approval, which is required for a manufacturer to physically locate or expand and includes, but is not limited to, the review and approval of a master development plan required under s. 163.3252(2) (c). 3. "Local manufacturing development program" means a program enacted by a local government for approval of master development plans under s. 163.3252. 4. "Manufacturer" means a business that is classified in Sectors 31-33 of the National American Industry Classification System (NAICS) and is located, or intends to locate, within the geographic boundaries of an area designated by a local government as provided under s. 163.3252. 5. "Participating agency" means: (a) The Department of Environmental Protection, (b) The Department of Transportation, (c) The Fish and Wildlife Conservation Commission, when acting pursuant to statutory authority granted by the Legislature and (d) Water management districts. 6. "State development approval" means a state or regional permit or other approval issued by a participating agency, or a modification of such permit or approval, which must be obtained before the development or expansion of a manufacturer's site, and includes, but is not	163.3251(1)–(6) [New]	Procedural	
	limited to, those specified in s.163.3253(1).			
17	Setting forth provisions for a local manufacturing development program and master development approval for manufacturers, allows a local government to adopt an ordinance establishing a local manufacturing development program through which the local government may grant master development approval for the development or expansion of sites that are, or are proposed to be, operated by manufacturers at specified locations within the local government's geographic boundaries.	163.3252 [New]	Procedural	

18	Requires a local government that elects to establish a local manufacturing development program to submit a copy of the ordinance establishing the program to DEO within 20 days after the ordinance is enacted. A local government ordinance adopted before the effective date of this act establishes a local manufacturing development program if it satisfies the minimum criteria established in subsection (3) and if the local government submits a copy of the ordinance to DEO on or before September 1, 2013.	163.3252(1)(a) and (b) [New]	Procedural	
19	Requires DEO to develop by December 1, 2013 a model ordinance to guide local governments that intend to establish a local manufacturing development program. Requires the model ordinance, which need not be adopted by a local government to include the elements set forth in ss. 163.3252(2)(a)-(k).	163.3252(2) [New]	Procedural	
20	Requires the model ordinance to include procedures for a manufacturer to apply for a master development plan and procedures for a local government to review and approve a master development plan.	163.3252(2)(a) [New]	Procedure	
21	Requires the model ordinance to identify those areas within the local government's jurisdiction which are subject to the program.	163.3252(2)(b) [New]	Procedural	
22	Requires the model ordinance to include the minimum elements for a master development plan, including but not limited to: 1. A site map, 2. A list proposing the site's land uses, 3. The maximum square footage, floor area ratio, and building heights for future development on the site, specifying with particularity those features and facilities for which the local government will require the establishment of maximum dimensions and 4. Development conditions.	163.3252(2)(c)1- 4 [New]	Procedural	
23	Requires the model ordinance to include a list of development impacts, if applicable to the proposed site, which the local government will require to be addressed in a master development plan, including but not limited to: 1.Drainage, 2.Wastewater, 3.Potable water, 4. Solid waste, 5. Onsite and offsite natural resources, 6. Preservation of historic and archeological resources, 7. Offsite infrastructure, 8. Public services, 9. Compatibility with adjacent offsite land uses, 10. Vehicular and pedestrian entrance to and exit from the site and 11. Offsite transportation impacts.	163.3252(2)(d)1- 11 [New]	Procedural	
24	Requires the model ordinance to include a provision vesting any existing development rights authorized by the local government before the approval of a master development plan, if requested by the manufacturer.	163.3252(2)(e) [New]	Procedural	

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25	Requires the model ordinance to include whether an expiration date is required for a master development plan and, if required, a provision stating that the expiration date may not be earlier than 10 years after the plan's adoption.	163.3252(2)(f) [New]	Procedural	
26	Requires the model ordinance to include a provision limiting the circumstances that require an amendment to an approved master development plan to: 1. Enactment of state law or local ordinance addressing an immediate and direct threat to the public safety that requires an amendment to the master development order and 2. Any revision to the master development plan initiated by the manufacturer.	163.3252(2)(g)1 and 2 [New]	Procedural	
27	Requires the model ordinance to include a provision stating the scope of review for any amendment to a master development plan is limited to the amendment and does not subject any other provision of the approved master development plan to further review.	163.3252(2)(h) [New]	Procedural	
28	Requires the model ordinance to include a provision stating that, during the term of a master development plan, the local government may not require additional local development approvals for those development impacts listed in paragraph (d) that are addressed in the master development plan, other than approval of a building permit to ensure compliance with the state building code and any other applicable state-mandated life and safety code.	163.3252(2)(i) [New]	Procedural	
29	Requires the model ordinance to include a provision stating that, before commencing construction or site development work, the manufacturer must submit a certification, signed by a licensed architect, engineer, or landscape architect, attesting that such work complies with the master development plan.	163.3252(2)(j) [New]	Procedural	
30	Requires the model ordinance to include a provision establishing the form that will be used by the local government to certify that a manufacturer is eligible to participate in the local manufacturing development program adopted by that jurisdiction.	163.3252(2)(k) [New]	Procedural	
31	Requires a local manufacturing development program ordinance to as a minimum be consistent with subsection (2) and establish procedures for (a) Reviewing an application from a manufacturer for approval of a master development plan, (b) Approving a master development plan, which may include conditions that address development impacts anticipated during the life of the development, (c) Developing the site in a manner consistent with the master development plan without requiring additional local development approvals other than building permits and (d) Certifying that a manufacturer is eligible to participate in the local manufacturing development program.	163.3252(3)(a)- (d) [New]	Procedural	

32	Prohibits a local government that establishes a local manufacturing development program from abolishing the program until it has been in effect for at least 24 months. Sets forth provisions for a local government's repealing its local manufacturing development program ordinance, stating that 1. Any application for a master development plan which is submitted to the local government before the effective date of the repeal is vested and remains subject to the local manufacturing development program ordinance in effect when the application was submitted; and 2.The manufacturer that submitted the application is entitled to participate in the manufacturing development coordinated approval process established in s. 163.3253.	163.3252(4)(a) and (b)1 and 2 [New]	Procedural	
33	Creates provisions for a coordinated manufacturing development approval process, requiring DEO to coordinate the manufacturing development approval process with participating agencies, as set forth in this section, for manufacturers that are developing or expanding in a local government that has a local manufacturing development program.	163.3253 [New]	Procedural	
34	Requires the approval process to include collaboration and coordination among, and simultaneous review by, the participating agencies of applications for: (a) Wetland or environmental resource permits, (b) Surface water management permits, (c) Stormwater permits, (d) Consumptive water use permits (e) Wastewater permits, (f) Air emission permits, (g) Permits relating to listed species, (h) Highway or roadway access permits and (i) Any other state development approval within the scope of a participating agency's authority.	163.3253(1)(a)- (i.) [New]	Procedural	
35	Requires a manufacturer to file its application for state development approval with DEO and each participating agency with proof that its development or expansion is located in a local government that has a local manufacturing development program. If a local government repeals its local manufacturing development program ordinance, a manufacturer developing or expanding in that jurisdiction remains entitled to participate in the process if the manufacturer submitted its application for a local government development approval before the effective date of repeal.	163.3253(2)(a) and (b) [New]	Procedural	
36	Requires DEO to convene a meeting with one or more participating agencies if a manufacturer requests one at any time during the process and that the participating agencies attend. Allows DEO to participate as necessary to accomplish the purposes set forth in s. 20.60(4)(f), does not require the department to mediate between the participating agencies and the manufacturer.	163.3253(3)(a) [New]	Procedural	

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37	Prohibits DEO from being a party to any proceeding initiated under ss. 120.569 and 120.57 that relates to approval or disapproval of an application for state development approval processed under this section.	163.3253(3)(b) [New]	Procedural	
38	Prohibits DEO's participation in a coordinated manufacturing development approval process under this section from having any effect on its approval or disapproval of any application for economic development incentives sought under s. 288.061 or another incentive requiring DEO approval.	163.3253(3)(c) [New]	Procedural	
39	Requires if a participating agency determines an application is incomplete that the participating agency notifies the applicant and DEO in writing of the additional information necessary to complete the application. Requires, unless the deadline is waived in writing by the manufacturer, a participating agency to provide a request for additional information to the manufacturer and DEO within 20 days after the date the application is filed with the participating agency.	163.3253(4)(a) [New]	Procedural	
40	If the participating agency does not request additional information within the 20-day period, the participating agency may not subsequently deny the application based on the manufacturer's failure to provide additional information.	163.3253(4)(b) [New]	Procedural	
41	Within 10 days after the manufacturer's response to the request for additional information, a participating agency may make a second request for additional information for the sole purpose of obtaining clarification of the manufacturer's response.	163.3253(4)(c) [New]	Procedural	
42	Requires, unless the deadline is waived in writing by the manufacturer, each participating agency to take final agency action on a state development approval within its authority within 60 days after a complete application is filed. The 60-day period is tolled by the initiation of a proceeding under ss. 120.569 and 120.57.	163.3253(5)(a) [New]	Procedural	
43	Requires a participating agency to notify DEO if the agency intends to deny a manufacturers application and, unless waived in writing by the manufacturer, the department shall timely convene an informal meeting to facilitate a resolution.	163.3253(5)(b) [New]	Procedural	

44	Unless waived in writing by the manufacturer, if a participating agency does not approve or deny an application within the 60-day period, within the time allowed by a federally delegated permitting program, or, if a proceeding is initiated under ss. 120.569 and 120.57, within 45 days after a recommended order is submitted to the agency and the parties, the state development approval within the authority of the participating agency is deemed approved. A manufacturer seeking to claim approval by default under this subsection shall notify, in writing, the clerks of both the participating agency and DEO of that intent. A manufacturer may not take action based upon the default approval until such notice is received by both agency clerks.	163.3253(5)(c) [New]	Procedural	
45	Allows the manufacturer at any time after a proceeding is initiated under ss. 120.569 and 120.57 to demand expeditious resolution by serving notice on an administrative law judge and all other parties to the proceeding. The administrative law judge is required to set the matter for final hearing no more than 30 days after receipt of such notice. After the final hearing is set, a continuance may not be granted without the written agreement of all parties.	163.3253(5)(d) [New]	Procedural	
46	Prohibits subsections (4) and (5) from applying to permit applications governed by federally delegated or approved permitting programs to the extent that subsections (4) and (5) impose timeframes or other requirements that are prohibited by or inconsistent with such federally delegated or approved permitting programs.	163.3253(6) [New]	Procedural	
47	Allows DEO to adopt rules to administer section 163.3253.	163.3253(7) [New]	Procedural	
48	Revises the definitions to replace a reference to s.165.031(5) in the definition of "public body" to s. $165.031(7)$	163.340(2)	Procedural	
49	Repeals section 4 of chapter 2012-75, Laws of Florida, which had established an alternate method for certain landowners to apply to DEO for an agricultural enclave designation. The right to apply for ag enclave designation under the alternate method expired on January 1, 2013.	Note to 163.3162 (2012 version of statute)	Procedural	

	2016 [Chapters 2016-10, section 13; 2016-148, sections 2-4, Laws of Florida]						
	Changes to Statutes	Citations	N/A	Addressed (Where/How)	Amendments Needed		
1	Deletes this obsolete subsection which required local governments to transmit comprehensive plan updates or amendments to address compatibility of lands adjacent or closely proximate to existing military installations or lands adjacent to an airport to the state land planning agency by June 30, 2012.	163.3177(6) (a)11, Amendments to Future Land Use Element to Address Military Base Compatibility (Chapter 2016-10, section 13, Laws of Florida)	х				
2	Modifies this section to state that a representative of a military installation is not required to file a statement of financial interest pursuant to section 112.3145, F.S., solely due to his or her service on the local government's land planning or zoning board.	Section 163.3175(7), Financial Reporting for Ex Officio Military Representatives on Local Boards (Chapter 2016-148, section 2, Laws of Florida)	х				
3	- Amends section 163.3184(2)(c) to modify the language pursuant to changes in section 380.06, F.S., to require state coordinated review of plan amendments that approve DRI-sized proposed developments; no substantive change. - Adds subsection 163.3184(5)(e)3 to provide that when an administrative law judge issues an order recommending that a plan amendment be found in compliance, the recommended order becomes the final order 90 days after issuance unless the state land planning agency issues a final order finding the amendment in compliance, refers the recommended order to the Administration Commission, or all parties consent in writing to an extension of the 90 day period. - Amends section 163.3184(7)(d), for plan amendment challenges that are subject to mediation or expeditious resolution, to provide that when an administrative law judge issues a recommended order finding an amendment in compliance, except where the parties agree or there are exceptional circumstances, the state land planning agency must issue a final order within 45 days after issuance of a recommended order; and if the final order is not issued in 45 days, the recommended order finding the amendment in compliance becomes the final order.	Section 163.3184, Process for Adoption of Comprehensive Plans or Plan Amendments (Chapter 2016-148, section 3, Laws of Florida)		Procedural			

4	of total land area required for a sector plan from 15,000 acres to 5,000 acres.	Section 63.3245(1), ector Plans (Chapter 2016-148, ction 4, Laws of Florida)	х				
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